

In The Matter Of:
TERRI YOLANDA LaBLANCE v.
CORIZON HEALTH, INC., ET AL.

TERRI YOLANDA LaBLANCE
July 8, 2020
Video Deposition

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Video Deposition

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1 IN THE CIRCUIT COURT OF DEKALB COUNTY, MISSOURI

2 DIVISION I

3
4 TERRI YOLANDA LABLANCE,

5 Plaintiff,

6 vs.

Case No.

7 CORIZON HEALTH, INC. AND

4:19-CV-00693-BP

8 MISSOURI DEPARTMENT OF

9 CORRECTIONS,

10 Defendants.

11
12
13 VIDEOTAPED AND ZOOM VIDEO TELECONFERENCE

14 DEPOSITION OF TERRI YOLANDA LABLANCE, the Plaintiff,

15 taken on behalf of the Defendant Corizon Health, Inc.

16 before Laurel A. Woodbridge, Missouri CCR No. 898 and

17 Kansas CCR No. 1327, RPR, CSR, and CRR, pursuant to

18 Notice To Take Videotaped Deposition on the 8th day

19 of July 2020, at the LaBlance offices of Krigel &

20 Krigel, P.C., Suite 700, 4520 Main Street, Kansas

21 City, Missouri.
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APPEARANCES

APPEARING FOR THE PLAINTIFF:

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ALSO PRESENT:

Ms. Jenny Meehan - VIA ZOOM VIDEOCONFERENCE

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NOTE: Original Exhibits were attached
to the original transcript

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1 (Whereupon, LaBlance Deposition Exhibit
2 Numbers 1 through 25 were marked for
3 identification by the reporter.)

4 THE VIDEOGRAPHER: Stand by.

5 (Deposition commenced at 9:50 a.m.)

6 THE VIDEOGRAPHER: Good morning. My
7 name is Nate Bogert.

8 Today is July 8, 2020 and we will go
9 on the record at approximately 9:50 a.m.

10 We are here to take a video deposition
11 in Case Number 4:19-CV-00693-BP for the Circuit Court
12 of DeKalb -- I don't know how to pronounce that --
13 County, Missouri.

14 Would Counsel state their name and
15 affiliation for the record, please.

16 MR. NUGENT: Good morning.

17 It's Ivan Nugent on behalf of the
18 Plaintiff, Terri LaBlance.

19 MR. MATULA: Mike Matula on behalf of
20 Defendant Corizon Health, Incorporated.

21 Also Claudia Tran from our office is
22 participating remotely through Zoom.

23 MS. JAG: This is Rachel Jag, and I am
24 here on behalf of Defendant Missouri Department of
25 Corrections. And I am participating on Zoom.

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1 THE VIDEOGRAPHER: Laurel, will you
2 swear the witness, please.

3 TERRI YOLANDA LaBLANCE,
4 of lawful age, having been first duly sworn to tell
5 the truth, the whole truth, and nothing but the
6 truth, testified as follows:

7 EXAMINATION

8 BY MR. MATULA:

9 Q. Ma'am, we've met before the
10 proceedings today started, but again, my name is Mike
11 Matula. I'm an attorney for Corizon Health, and I'm
12 here today to take your sworn testimony in connection
13 with a lawsuit that you filed against Corizon and the
14 Missouri Department of Corrections and a couple
15 things before we get going.

16 First, the term deposition is just an
17 overblown lawyer word for taking a sworn statement.

18 My goal today is to ask you some
19 questions so that I can find out what you know about
20 certain issues related to your legal claims. Find
21 out things that you don't know, and what you'll be
22 able to testify in court as the case goes forward.

23 Do you have that general
24 understanding?

25 A. Yes, I do.

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1 Q. And I am guessing that you've had the
2 opportunity to get some more information about how
3 the deposition process goes through Mr. Nugent. But
4 I want to go over a few ground rules just to make
5 things hopefully go easier today and get us all out
6 of here faster.

7 Seem fair?

8 A. Yes.

9 Q. First, have you ever had to give sworn
10 testimony before?

11 A. No.

12 Q. Well, first, the testimony you're
13 giving today, even though we're in a semiformal
14 setting in your attorney's conference room, it's just
15 as if you're testifying before a judge or a jury in
16 court.

17 Do you have that understanding?

18 A. Yes.

19 Q. And in fact, it is probable that at
20 least some parts of the testimony that you give today
21 will be used -- will be presented to the court or to
22 the jury at some point in later proceedings.

23 Do you understand that?

24 A. Yes.

25 Q. And so because of the importance of

1 your testimony today, my goal is simply to
2 communicate, and so if I ask a question that is at
3 all confusing or for whatever reason you just don't
4 think that you and I are on the same page about what
5 I'm trying to find out, that's fine. Just let me
6 know and I will do my best to ask a better question.

7 A. Okay.

8 Q. Seems fair?

9 A. Uh-huh.

10 Q. If you don't stop me, though, then
11 we're going to go forward in the legal proceedings,
12 and the record that we get here today, both through
13 the court reporter and through the videographer,
14 everyone's going to rely on your testimony and assume
15 that the questions seemed clear enough for you to
16 give answers without qualification?

17 A. Okay.

18 Q. Fair enough?

19 A. Yes.

20 Q. Also, this is not an endurance
21 contest. If at any point you need a break, just let
22 us know, and we'll get you a break right away. If I
23 have a question pending, I might want to get an
24 answer to my question before we go off the record,
25 but other than that, just let us know if you need a

1 break for any reason.

2 Will you do that?

3 A. Yes.

4 Q. Sitting here today, is there any
5 reason you don't believe you would be in a position
6 to give your best, most complete, accurate testimony
7 this morning?

8 A. No.

9 Q. Okay. Also, to make sure we get a
10 good record, a couple things. If I ask you a
11 question and you nod or you shrug your shoulders, I
12 might understand exactly what you're telling me, but
13 we need audible responses so we can get a record, a
14 written record.

15 So if I say is that a "yes," or is
16 that a "no," I promise I'm not trying to be rude or
17 anything like that, I'm just -- that's kind of my way
18 of reminding, hey, we need a yes-or-no answer for the
19 court reporter.

20 Fair enough?

21 A. Yeah, I understand that.

22 Q. Also today we have a very mean court
23 reporter, and so it's really important that we don't
24 talk over one other because that will just make her
25 all the meaner.

Video Deposition

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1 A. Okay.

2 Q. All right?

3 A. Yes.

4 Q. More seriously, it does make Laurel's
5 job a lot harder if we're talking over one another,
6 so I will do my very best to not start a new question
7 until you are done with your answer, and if you could
8 do your very best to wait until the complete end of
9 my question to start your answer, even if you know
10 where I'm going, that will make her job a lot easier.

11 Fair enough?

12 A. Okay.

13 Q. Okay. With that, ma'am, are you
14 currently employed?

15 A. Yes, I am.

16 Q. And where is that?

17 A. I currently work for the Grand
18 Pavilion Rehabilitation Center --

19 Q. And where is that?

20 A. -- in Kansas City.

21 Q. Okay. And how long have you held that
22 job?

23 A. Since the 4th of January.

24 Q. 2020?

25 A. Yes, that's correct.

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1 Q. And how do you like it?

2 A. It's nursing and I enjoy taking care
3 of people.

4 Q. Do you like the people you work with?

5 A. Yeah.

6 Q. Have you --

7 A. We're good.

8 Q. All right. Fair enough. Since
9 working at Grand Pavilion, have you felt that you
10 have been harassed or discriminated based on your
11 race or for any other reason?

12 A. At the Grand Pavilion?

13 Q. Yes.

14 A. Yes.

15 Q. Okay. And have you submitted any sort
16 of complaints to supervisors about whatever conduct
17 that you're alluding to?

18 A. Yes.

19 MR. NUGENT: For the record, I'm going
20 to object to form. The answer's been stated.

21 BY MR. MATULA:

22 Q. And you -- have you gone so far as to
23 file a charge of discrimination or take any type of
24 legal action for the conduct that you've experienced
25 at Grand Pavilion?

1 MR. NUGENT: Same objection. And I'm
2 just going to make it a continuing one for all the
3 questions related to perceived discrimination at
4 Grand Pavilion that are not stated or alleged in the
5 current case.

6 You can answer.

7 A. Can you repeat the question?

8 BY MR. MATULA:

9 Q. Sure. Have you initiated any type of
10 complaint external to Grand Pavilion? For example, a
11 charge of discrimination, as you did prior to filing
12 this lawsuit?

13 A. Have I issued a complaint?

14 Q. Let me -- let me try again. First, I
15 don't want to get too deep in the weeds if we don't
16 have to, but I'm going to need to know, can you tell
17 me the gist of what the nature of the conduct is that
18 you've experienced at Grand Pavilion that you believe
19 is racially discriminatory or harassing?

20 A. I -- I can do that. I did not know
21 that that case was relevant to this, or that
22 situation was relevant to this case.

23 This is a situation that I incurred
24 with another employee which I took to management and
25 when I took that to management there was a

1 conversation that was had regarding the statement
2 that was made, and it has been resolved.

3 Q. Okay. What I'm gathering from what
4 you just told us is that someone you work with said
5 something that you found inappropriate, you went to a
6 manager or supervisor, raised the issue, there was a
7 meeting or talking to, and as far as you're
8 concerned, it's --

9 A. Yes.

10 Q. -- been resolved to your satisfaction?

11 A. Yes, because the individual was
12 educated and confirmed that they understood why what
13 they said was not appropriate and it was resolved.

14 Q. Okay. And is that the -- the incident
15 that you just described is that the only situation
16 while you worked at Grand Pavilion where you felt you
17 were discriminated or harassed based on your race?

18 A. Yes.

19 MS. JAG: Hey, Mike, I'm sorry to
20 interrupt. But I -- I think your voice is kind of
21 echoing, is there a way that you can speak a little
22 bit more -- like closer to the speaker if possible.
23 Sorry about that.

24 MR. MATULA: Rachel, that's going to
25 be a little hard. I will -- I will do my best.

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1 MR. NUGENT: Do you want to go off the
2 record?

3 MR. MATULA: Yeah. Let's go off the
4 record for a second to see if we can clean it up.

5 THE VIDEOGRAPHER: We'll go off the
6 record at 10:00 a.m.

7 (Off-the-record discussion.)

8 THE VIDEOGRAPHER: Stand by. We are
9 back on the record at 10:07 a.m.

10 BY MR. MATULA:

11 Q. Ms. LaBlance, continuing with your
12 testimony.

13 MR. MATULA: Laurel, if you could hand
14 Ms. LaBlance the first two exhibits. And I've got
15 spares in there for Ivan.

16 BY MR. MATULA:

17 Q. Ma'am, you've been handed two
18 documents.

19 The first, Exhibit 1, is a copy of the
20 -- the lawsuit papers as this was originally filed
21 back in September. And it also includes some
22 additional documents, the right to sue notice, the
23 charge of discrimination, it contains a -- in the
24 dismissal, it contains a three-page single space
25 typewritten section that's entitled Discrimination

1 Complaint?

2 Do you see all that?

3 A. Yes.

4 Q. And the second document, Exhibit 2, is
5 entitled Plaintiff's Answers to Defendant Corizon's
6 First Interrogatories.

7 A. Uh-huh.

8 Q. And I don't -- when I made my copy, I
9 don't think I attached a verification page, which I
10 think we have from you, but my question first is with
11 regard to Exhibit 2, you've seen that document in
12 this form before, have you not?

13 A. Yes.

14 Q. And you had a chance to look over your
15 responses before they were submitted to the other
16 parties through your attorney, did you not?

17 A. Correct.

18 Q. And at that time, did everything
19 appear true and accurate to your best knowledge?

20 A. Yes.

21 Q. And then also with regard to
22 Exhibit 1, and this -- I believe this was prepared
23 and filed before you had representation; is that
24 correct?

25 A. That's correct.

1 Q. Is there any -- is there anything in
2 Exhibit 1 that you believe is inaccurate or
3 materially incomplete, any of the information?

4 A. Not that I believe is inaccurate or
5 incomplete, no.

6 Q. Fair -- fair enough. I want to ask
7 you some questions about the portion of Exhibit 1
8 that's several pages in. I think it's Page 7 -- it
9 starts with Page 7 of 15, the single-spaced section
10 that's titled Discrimination Complaint.

11 Just let me know when you're there.

12 A. I'm here.

13 Q. Okay. All right. And it's -- it's
14 got a date at the top of March 30, 2019. Is that
15 when you submitted it to the Equal Employment
16 Opportunity Commission?

17 A. On or about, yeah.

18 Q. Sure. And that was just about four or
19 five weeks after your last day at Corizon; correct?

20 A. That is correct.

21 Q. And what was -- inputting this
22 section -- this document -- when I say this document,
23 I'm talking about Pages 7 through 9, the
24 single-spaced letter that -- ish section that you
25 signed. When you put that together, what was your

1 understanding of what it would be used for?

2 A. For my complaint at the EEOC, and --
3 yeah, to file my complaint there.

4 Q. Sure. And did you -- did you prepare
5 this at home, like on a home computer or something?

6 A. Yes, I did.

7 Q. Did you -- did you put this
8 discrimination complaint, was it something you did
9 all in one sitting or did you put some input as you
10 could, maybe revised it before it was finalized?

11 A. I did revise it before I submitted it.

12 Q. Sure. And I assume you did that
13 because you wanted to make sure that everything in
14 there was as accurate and complete as you could?

15 A. At that time, absolutely.

16 Q. Right. And you knew this would be
17 submitting something as a discrimination complaint.
18 It sounds like you took your time over at least a --
19 a couple different settings over a couple days at
20 home to try to get all the important stuff in there
21 that you could think of at the time; is that fair?

22 A. Well, yeah, I can't tell you how many
23 days, but yeah, I did try to make sure that I did not
24 leave out -- that I -- that I was able to capture
25 what I was trying to convey.

1 Q. Absolutely. And --

2 A. To the best of my ability at that
3 time.

4 Q. Sure. And at that time was much
5 closer to the events of -- of what happened at
6 Corizon than, for example, today; right?

7 A. Yes, in -- in time-wise. Yeah.

8 Q. Yes. Did you have any notes or any
9 written materials that you referred to or that you
10 were looking at as you prepared this material?

11 A. No, I did not.

12 Q. And if you can switch gears and look
13 at Exhibit 2 for just a second and in particular on
14 Page 10, Question 16, just let me know when you're
15 there.

16 A. Okay.

17 Q. The question -- I'm paraphrasing, the
18 question was asked of you generally if, while you
19 worked at Corizon, did you have any notes, diaries,
20 other types of records that might have been a source
21 of some, you know, memorializing things that
22 happened.

23 And -- and your answer was, "Plaintiff
24 states that in the wake of her traumatic termination
25 via constructive discharge, that she did not keep any

1 notes, diaries, journals, calendars, or other records
2 of any events or conversations that relate to her
3 termination."

4 Do you see where I'm reading?

5 A. Uh-huh. Yes.

6 Q. Thank you. You're way ahead of me.
7 Thanks. Okay. I just want to make sure my
8 understanding is correct.

9 Did -- did you ever have any such
10 notes, diaries, journals, calendars or other records
11 of -- of things that were going on at Corizon, but
12 just no longer had them or did you just never keep
13 them at all?

14 A. I never kept them.

15 Q. Okay. Total time that you believe you
16 put into preparing the -- the three-page single
17 spaced narrative of discrimination complaint that we
18 were looking at Exhibit 1, any idea?

19 A. The total time I spent preparing this,
20 I would guess to say, it took place during that
21 four-week span of time from when I -- after I left
22 from my last day there to the date that it was
23 submitted.

24 Q. Okay.

25 A. And that's roughly about four weeks.

1 And I say that because it -- as I wrote it, of
2 course, I did revise it, and try to make sure that
3 what I was trying to convey was complete -- as
4 complete as possible and concise to make sure that my
5 message was -- that my complaint was understood.

6 Q. And I think I did -- I think you did a
7 very good job with that purpose. Ballpark, a few
8 hours total? More than -- and if you can't give me
9 the precise number, I get that, but over a span of
10 four weeks, how much total time before the first
11 words you started typing out and when you signed off
12 on it?

13 A. How much total time? I think that
14 would be hard to estimate. I mean, this was sort of
15 consuming at that time because of the things that had
16 occurred.

17 Q. Sure.

18 A. So there was -- you know, there were
19 conversations and questions with -- you know, and
20 thinking and thoughts and....

21 Q. It looked -- and I don't know, you
22 were there not me. I mean, three pages single
23 spaced, it has -- it's obviously very -- a lot of
24 thought was put into this. It seems like something
25 that would take at least several hours of time at a

1 minimum to put together --

2 A. Yes.

3 Q. -- is that a fair -- okay. All right.
4 Fair enough.

5 While you were putting together -- you
6 mentioned you didn't have any notes or records, did
7 you talk to anyone, interview anyone, call someone to
8 try to refresh your memory or get information from
9 them as you put that document together?

10 A. No, not -- no, I did not. It was more
11 so with my spouse and family members who I had spoke
12 with during my course of employment with Corizon and
13 the Department of Corrections. Yeah.

14 Q. All right. Fair enough. Let me
15 switch gears. We're going to come back to that in a
16 little bit. But switching gears.

17 To prepare you for your testimony
18 today, can you tell me what you did, and I'm going to
19 preface -- I should have said this before.

20 At no time in any of my questions
21 today, do I think I will ever ask you something to --
22 that's designed for you to share the substance or
23 details of any conversations you've had with
24 Mr. Nugent or anyone on his staff, or -- or any of
25 your legal representation. I'm not trying to get

1 those details.

2 With that disclaimer, I'll start my
3 question again. Can you tell me what at all, if
4 anything, did you do to prepare yourself to give your
5 testimony today? Talk with people, look at -- look
6 at documents. Anything, you tell me.

7 A. I did look at the documents that have
8 been submitted on my behalf. Just to make sure that
9 they are correct. And honestly, prayer.

10 Q. Fair enough.

11 A. Prayer. Yeah. There was, you know,
12 there was no -- there's really no one to speak with.
13 I just, you know, I have spoken with my attorney,
14 and, of course, I'm coming in to be -- to bring to
15 you the things that I endured, that I experienced,
16 that happened to me while I was there, and that's
17 just an honest recollection of the events that took
18 place that led to my discharge.

19 Q. Understood. Your last day of
20 employment with Corizon was February 22, 2019?

21 A. That is correct.

22 Q. Who -- since -- since your employment
23 ended, who, if anyone, associated with Corizon, have
24 you communicated with in any way? Stayed in touch
25 with, anything like that.

1 A. There is one individual that called
2 me, maybe three or four months out, or maybe a couple
3 months out, and I may have spoken with her twice
4 since I have left.

5 Q. Who's that?

6 A. Her name is Shannon.

7 Q. Is that Shannon Burris?

8 A. Yes.

9 MS. JAG: I'm sorry. Who did you say?
10 Shannon who?

11 MR. MATULA: Burris. I believe that's
12 B-u-r-r-i-s.

13 MS. JAG: Thank you.

14 BY MR. MATULA:

15 Q. Ma'am, we're going to go through a
16 full who's who in just a little bit.

17 A. Okay.

18 Q. But with regard to Shannon, how -- how
19 do you know Shannon? How did you guys work together?

20 A. We worked together at Corizon with --
21 at Chillicothe with Corizon and the DOC there in the
22 medical department. I was a nurse practitioner
23 there, and she was a licensed practical nurse who
24 worked nights particularly -- I mean, specifically.

25 Q. And when you say "worked nights," can

1 -- what -- were there different shifts or what was
2 the standard, if someone was working days, versus
3 mids, versus nights, what does all of that mean?

4 A. Yeah. She worked the third shift
5 which is from -- I guess she would come in -- I don't
6 know what time she came in, but she was getting off
7 as I was coming in in the morning, most of the time.

8 Q. What were your regular hours?

9 A. From 8:00 to 4:00.

10 Q. And would that be considered the first
11 shift or the second shift?

12 A. Well, I wasn't a staff nurse, I was a
13 provider there, and so my schedule was different from
14 the staff nurses.

15 Q. Gotcha. Okay.

16 If you're telling me -- it doesn't
17 sound as if, though, that your typical schedule
18 overlapped with Shannon's very much, in terms of the
19 hour -- the hour overlap, is that correct, or not?

20 A. Not a lot. It did not overlap a lot.
21 However, I usually saw her almost every morning that
22 she -- you know, most of the mornings that she got
23 off, and I was coming in.

24 Q. Okay. So she'd be headed out
25 somewhere maybe around the 8 o'clock hour, and that's

1 when you would be typically coming in, so that's how
2 you would see her?

3 A. Yes. Or if she worked a different
4 shift.

5 Q. Understood. And also, because you
6 happen to be the first witness giving testimony in
7 this particular case, just some -- some background
8 for the record.

9 Can you tell us what -- what does
10 Corizon do? In particular, what does Corizon do at
11 the Chillicothe Correctional Facility?

12 A. Corizon is actually in partnership
13 with the Department of Corrections and they staff
14 the -- or help to staff the medical clinic on the
15 Department of Corrections prison site -- or sites
16 here in the State of Missouri.

17 Q. They're a provider of healthcare
18 services at correctional facilities in Missouri,
19 including the Chillicothe Correctional Center. Fair
20 summary?

21 A. Fair summary.

22 Q. And your employment with Corizon
23 started in June of 2017, you were hired on as a
24 physician's assistant/advanced registered nurse
25 practitioner; correct?

1 A. Correct.

2 Q. Where -- in what states are you
3 presently licensed as a nurse?

4 A. In the State of Missouri and the State
5 of Kansas. And I also have my Compact license which
6 allows me to practice in all the states that are a
7 part of the Compact which are the majority.

8 Q. And the -- I was a little unclear from
9 some of the paperwork I saw. When were you first
10 licensed to -- when -- your Missouri nursing license
11 first become in effect?

12 A. In 2011.

13 Q. It looks like something happened in
14 2015 in Missouri, is that a special certification or
15 something? We can look at the paperwork, but do you
16 know what I'm talking about?

17 A. Yeah, that was when I became
18 certified -- board certified by the NCC as a women's
19 health nurse practitioner.

20 Q. Okay. So you got your license in
21 2011, and then you had some sort of board
22 certification that kicked in in 2015?

23 A. Yeah, I maintained my master's
24 specializing in women's health, which I completed in
25 2014, and in 2015, I was board certified by the

1 National Certification Committee as a women's health
2 nurse practitioner.

3 Q. And where did you get your nursing
4 degree, your original nursing degree?

5 A. My original nursing degree is
6 Rockhurst Research.

7 Q. And what years was that?

8 A. Pardon me?

9 Q. What year period?

10 A. That was 2011. August of 2011.

11 Q. Okay. So -- but how long were you in
12 nursing school?

13 A. I was in nursing school -- it was a
14 12-month accelerated program because I previously had
15 a bachelor's degree in biology from Cameron
16 University out of Oklahoma, so....

17 Q. So you already -- the -- you were able
18 to complete your nursing degree in a year because of
19 your background?

20 A. Because of my previous background and
21 experience.

22 Q. Gotcha.

23 A. Previous bachelor's degree in biology.

24 Q. And when did you get your Kansas
25 license?

Video Deposition

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1 A. My Kansas license, 2018. '19 -- wait.
2 '19.

3 Q. I had it '19, but I wasn't sure.

4 A. '19. '19.

5 Q. I want to talk about the process --
6 the hiring process, about how you joined up with
7 Corizon. First, how did you hear about the job
8 opportunity at Corizon?

9 A. I -- I was contacted by a recruiter.

10 Q. All right. And so walk me through the
11 steps as you remember them from the time that you
12 were contacted by a recruiter until the time you
13 physically started working at the Chillicothe
14 facility.

15 A. I received a phone call from the
16 recruiter for Corizon, he described the position and
17 what they were looking to fill. He, you know, of
18 course, told me where it was located, and asked me if
19 I was interested. And I shared with him, yes, I am.

20 It's my understanding that at that
21 time, if I remember correctly, I resubmitted an -- a
22 resumé to him, because he had seen it online, Indeed
23 or something of that nature, and I authorized a
24 background check.

25 After getting those things returned to

1 him, I believe that he contacted Corizon's corporate
2 office out of Jeff City, told them that he had
3 someone that he thought would be a fit for the job
4 that they needed to fill, and I was invited for an
5 interview to Jeff City.

6 I went to Jeff City, I met with the
7 regional medical director, and then --

8 Q. Do you remember who that was?

9 A. His name is Jerry Lovelace.

10 And I met the assistant regional
11 medical director at that time, who is Dr. Bredeman.

12 Q. Sorry. Can you --

13 A. Dr. Bredeman. B-r-e-d-e-m-a-n.
14 Bredeman.

15 During that interview, I actually sat
16 in on a provider meeting where some of the practices
17 were being reviewed with the prisons in the region,
18 and was sort of briefed on what would be my -- what
19 would be sort of my way of going about handling these
20 situations if I were working in that setting.

21 Later I was -- I was offered to take a
22 tour at Chillicothe, which I drove to Chillicothe, I
23 met the recruiter there, went in, met with one of the
24 ladies that worked in the medical department, as the
25 -- in the administrative part. Took a tour of the

1 medical facility there, and was later offered the
2 position, which I accepted.

3 Q. Do you remember who you met with when
4 you did your preemployment tour?

5 A. If you hadn't -- I do. I'm trying to
6 remember her name. At that time, she was -- I can't
7 remember her name off the top of my head. But she
8 was the executive assistant to the medical site
9 administrator, Tere- -- no, it's not Teresa. I can't
10 remember her name.

11 I also met the site administrator, the
12 physician that was the medical -- the site medical
13 director at that time.

14 Q. As you give me those titles, if you
15 remember their names for the record that would be
16 great too, but if you don't then titles are fine.

17 Do you remember any of the names, the
18 site administrator, the medical director?

19 A. And site administrator was Teresa
20 McWhorter. And the physician, I can't believe I
21 don't remember her name, but I do not. She had been
22 there for quite some time. And it will come to me
23 later, I'm sure.

24 MR. MATULA: Go to 4, Exhibit 4.

25 Rachel and Claudia, I realized that I

1 started talking about exhibits without really
2 identifying them very well for you. I'm going to try
3 to do a better job of that. In fact, I'm going to
4 really get fancy and try to do my screen share. I
5 don't like doing it when I only have one monitor.
6 I'll see how it goes.

7 BY MR. MATULA:

8 Q. Ma'am, you've --

9 MS. JAG: I appreciate that, Mike.
10 Thank you.

11 MR. MATULA: Five. You can keep --
12 keep that one. We'll use it in a moment. Five is
13 what I meant. I apologize. We'll use both. It
14 should be the application packet.

15 I'm going to try to do the screen
16 share, but -- Exhibit 5 has Bates Numbers LaBlance 39
17 through 47. Those are the Plaintiff's Bates Numbers.
18 So that's another reference. So let's see how I do
19 here.

20 MR. NUGENT: Mike, I'm looking at
21 what's -- what appears to be Exhibit 5, and I have
22 LaBlance 11.

23 MR. MATULA: You know what, I had a
24 copy issue. Actually, if you want to go ahead and
25 just take off the first page of where it picks up at

1 39. I apologize for that. I amended the exhibit.

2 MS. JAG: So what pages were that
3 again? I'm sorry, Mike.

4 MR. MATULA: It's going to be -- it
5 should be 39 through 47.

6 Ma'am, can I steal that back from you
7 one second.

8 (Off-the-record discussion.)

9 MR. MATULA: Rachel, did that come up
10 on the feed?

11 MS. JAG: Yep. Looks perfect. I can
12 see it. Thank you.

13 BY MR. MATULA:

14 Q. Okay. Ma'am, in Exhibit 5, I just
15 want to confirm that that is the application packet
16 that you submitted in connection with your employment
17 with Corizon, and that's your handwriting, and in
18 particular that's your signature on the last page?

19 A. Yes, it is.

20 Q. It looks like you signed off on this
21 on May 4, 2017?

22 A. Yes.

23 Q. And was everything -- all the
24 information that you affirmed in this application
25 accurate at the time you submitted it?

1 A. Yes.

2 Q. There was something in your narrative,
3 which is part of Exhibit 1, that also pertains to
4 kind of the hiring process background, where I think
5 you -- at some point you mentioned you needed to get
6 clearance from the Department of Corrections as well
7 as part of the hiring process.

8 Do you remember that?

9 A. Yes.

10 Q. Okay. Tell me about -- tell me about
11 that. And if you need to -- if you want to look
12 back, I'm looking on the third paragraph of that
13 discrimination complaint, a document we looked at
14 earlier.

15 MR. MATULA: Which Rachel and Claudia,
16 I'll try to bring up again.

17 A. Tell --

18 BY MR. MATULA:

19 Q. I'll tell you what, go to Exhibit 1,
20 on that Page 7 of 15, and it's the third -- I guess,
21 the third paragraph down.

22 A. Okay.

23 Q. Is -- hang on a second here. There's
24 others. The paragraph that starts, "Following
25 clearance from the Missouri Department of

1 Corrections."

2 Do you see that?

3 A. Uh-huh.

4 Q. Okay. First tell me what -- what was
5 your understanding of what clearance from the
6 Department of Corrections needed to take place before
7 you could start work with Corizon?

8 A. Well, I had already started work at
9 Corizon, at the Department of Corrections. This took
10 place following my first day on the job and I
11 received notification that there was a question by
12 the warden, whom I had met that morning, as to my
13 being there. The information that I submitted in my
14 application was there. So I'm not sure why there was
15 confusion or whatever the issue was. All I know that
16 it was resolved.

17 Q. Let me break it down this way:

18 The way the narrative wrote -- you
19 wrote, says, "Following clearance by the Missouri
20 Department of Corrections, I began my employment?"

21 Do you see that?

22 A. Yes.

23 Q. Okay. I -- reading that, I had it in
24 my head that -- that your employment with Corizon
25 began after the clearance from the Department of

1 Corrections, but I think what you were saying a
2 moment ago, your -- let me back up.

3 Was it your understanding that you had
4 been cleared by the Department of Corrections before
5 your employment started with Corizon or not?

6 A. That is correct.

7 Q. Okay.

8 A. And before I was to work with the
9 Department of Corrections.

10 Q. Right. And that makes sense. The
11 Department of Corrections, you understand, ultimately
12 has the authority about who can come on its premises
13 and so anyone working at Corizon, the Department of
14 Corrections has to approve of that? You understood
15 that; right?

16 A. Yes, anyone that comes on to the
17 grounds has to be --

18 Q. Makes sense.

19 A. Right. Right. Before you're allowed
20 to come on to the grounds.

21 Q. Gotcha.

22 Okay. So I think what you're telling
23 me is at the end of your first day, your first day on
24 the job, and at the end of the day or some part of
25 the day, you get notified that the warden had

1 some questions about --

2 A. Correct.

3 Q. One, who -- who notified you, do you
4 remember?

5 A. The medical director.

6 Q. Who's that, at the time?

7 A. Dr. Lovelace.

8 Q. Now, Dr. Lovelace is not in
9 Chillicothe, he's in Jeff City; right?

10 A. Correct.

11 Q. So he -- it must have been a
12 notification by phone or --

13 A. Correct. Request -- yes.

14 Q. Lovelace gives you a call, and says,
15 "Hey, the warden has some questions for you,"
16 something to that effect?

17 A. Something to that effect.

18 Q. All right. So tell me what you
19 remember about how -- what you did in light of
20 Mr. Lovelace giving you that information?

21 A. I believe I sent him a narrative
22 explanation of my background so that there could be a
23 clear understanding.

24 Q. All right. Did -- before you sent the
25 narrative did you speak with the warden to find out

1 the specifics of what his -- what his concerns were,
2 what he was trying to find out?

3 A. No, I did not. He did not approach me
4 directly.

5 Q. Okay. Well, do you remember anything
6 else about what Mr. Lovelace told you about what
7 additional information or what questions the warden
8 had?

9 A. It was nonspecific other than just
10 needed more -- I guess -- I'm not sure if the -- I'm
11 not exactly sure if the warden requested more
12 information or if more information was needed to make
13 sure that there was clarity, or if he felt that way
14 or if the warden felt that way, I don't recall.
15 However, it was requested and submitted and resolved.

16 Q. Right. And I'm just -- and if you
17 don't recall the specifics, that's fine. I'm just
18 trying to think of like in order for you to even know
19 what additional information might be helpful for the
20 warden, someone's got to tell you what the problem
21 is, what the issue is, so you know, like, "Hey.
22 Okay. I need to provide more about my employment
23 history, or my criminal history background or clarify
24 something," somebody's got to give you an idea of
25 what the issue is so that you know what to -- to

1 submit to try to get it clarified; right?

2 A. Yes.

3 Q. Okay. And if you don't recall the
4 specifics, just tell me, but do you recall any
5 specifics either given from Mr. Lovelace or anyone
6 else as to what it was that was the question that
7 needed to be further addressed?

8 A. I don't recall a specific question,
9 other than a question regarding my background.

10 Q. And then you believe you -- the way
11 you're -- the typewritten document on the subject
12 reads, you say, "I was asked to provide additional
13 explanation of my background. Sufficient explanation
14 was provided and my employment continued without
15 disruption."

16 Do you see that?

17 A. Yes.

18 Q. Okay. And so you think you submitted
19 something in -- some further information in writing
20 or did you call the warden or how did that happen?

21 A. I have always been honest and upfront
22 about mistakes I've made in the past because it is --
23 I take full responsibility for bad decisions, as well
24 as good decisions that I've made in the past.

25 So when I -- just to sort of give you

1 a little bit of information, when I decided to go to
2 nursing school, when I applied for my license, when I
3 decided to go to graduate school, when I applied for
4 my license, when I applied to take boards, these
5 explanations have been given on numerous occasions.

6 So I do have a statement that I have
7 made in the past that explains things that happened
8 in my past that is sufficient, I think, to -- for
9 anyone that reads it to know who I was and who I am.
10 And I think that -- I believe that that's what I have
11 submitted to him as well, and where it went from
12 there and how it was resolved, I have no knowledge.

13 Q. Gotcha.

14 So your best memory is, you think that
15 in response to this issue that Mr. Lovelace made you
16 aware that the warden wanting some additional
17 information, you think you submitted this -- it
18 sounds like a statement you prepared for multiple
19 sources at times to kind of explain some further
20 background, and that's what you think you submitted
21 and then didn't hear anything further, everything,
22 seemed like it was resolved?

23 A. Uh-huh.

24 Q. Is that a fair summary?

25 A. Uh-huh.

1 MR. NUGENT: Is that "yes"?

2 A. Oh. Yes.

3 And it wasn't new information, it
4 wasn't new to anyone to my knowledge, because it
5 wasn't something that was hidden or over -- you
6 know -- or you know, there was no deception or
7 anything of that nature.

8 BY MR. MATULA:

9 Q. And I see in your application packet
10 we looked at before, you -- you identified some
11 aspects of some instances you've had in the past.

12 A. Uh-huh.

13 Q. And I haven't seen the statement that
14 you -- something you prepared for this that you might
15 have used, but it sounds like it tries to capture
16 kind of that history and provide some further
17 explanation?

18 A. Absolutely.

19 Q. Okay.

20 A. Can I add to that a little bit?

21 Q. Sure.

22 A. I will say that when I met with the
23 warden, I don't know if that is a standard practice
24 or if that occurred because of who I am -- okay? --
25 and I just want to say that he at that time did not

1 ask me any direct questions. So I'm not sure how it
2 came about and I'm not sure if that's standard
3 practice, but I did willingly meet with him at that
4 time.

5 Q. Sure. Had -- when you met with the
6 Corizon folks in Jeff City --

7 A. Yes.

8 Q. -- was there any specific discussion
9 about the -- your criminal history, kind of that
10 whole deal during those meetings?

11 A. Yes.

12 Q. Okay. Tell me about what you remember
13 about those discussions covering.

14 A. About that discussion. I usually
15 preface -- well, I'm sure that I prefaced our
16 interview with these things are in -- are here. You
17 will find them.

18 "And so before I waste your time,
19 before I take up your time, if that is something that
20 will keep me from this position, we can just -- let
21 me tell you up front."

22 Q. Right. Sure.

23 A. "So that I'm not wasting your time if
24 you feel that you need to find someone else for this
25 position."

1 Q. Gotcha.

2 And just to recap, because there's
3 a -- this is, I think, summarized in interrogatory
4 responses, but just to kind of list this here, I've
5 seen a couple different forms, and the chronology is
6 a little wonky to me, but in terms of the instance
7 you're referring to in the past, can you just quickly
8 go through kind of the list and the year and some
9 description, so we can get a little boat list so we
10 can use that for the rest of the testimony today.

11 A. So you're asking me to list to you the
12 things in my background that's in where?

13 Q. Well, I guess --

14 A. Because I'm -- I'm a little confused,
15 because this all took place prior to me becoming a
16 nurse, prior to me going to work at Corizon and the
17 Department of Corrections and not to -- you know, I'm
18 trying to kind of figure out how this connects to why
19 we're here today. Because --

20 Q. If -- if -- I understand. If you want
21 to talk to Mr. Nugent about that, or if he thinks
22 some question is improper, we can sort that out.

23 I am just trying to get factual
24 information so that later on the judge can decide,
25 and there's some -- I know there's issues with regard

1 to the materials that Ms. Epperson sent you after
2 your employment, you left that might tie into this.
3 We can -- someone else can sort that out.

4 I'm just trying to get an accurate
5 summary so I understand what the facts are. That's
6 all I'm trying to do. Okay?

7 And if --

8 A. A summary of --

9 Q. If it's helpful we can do it this way.
10 If you look back at Exhibit 2, starting on Page 2,
11 Question 4, that -- there's a written question that
12 kind of covers this, and maybe we can use that just
13 to get through it and we can take a break.

14 MR. NUGENT: At -- at this point I'll
15 -- I'll object to the form and also state a
16 continuing objection related to Ms. LaBlance's
17 criminal background.

18 BY MR. MATULA:

19 Q. Have you found that on Page 2?

20 A. Yes, I have.

21 Q. Okay. All right. Is your answer to
22 Question 4, is it complete and accurate?

23 A. It looks pretty complete. It looks
24 pretty complete. Yeah.

25 MR. MATULA: Why don't we go ahead and

1 take a break. We've been going about an hour.

2 MR. NUGENT: Sure.

3 THE VIDEOGRAPHER: Going off the
4 record at 10:55 a.m.

5 (Brief recess taken.)

6 THE VIDEOGRAPHER: Stand by.

7 We are back on the record at
8 11:14 a.m.

9 BY MR. MATULA:

10 Q. Ma'am, we're continuing your testimony
11 after a short break. You realize you're still under
12 oath, all the other previous admonitions still apply
13 for the rest of your testimony even after breaks?

14 A. Yes.

15 Q. Will you pull out Exhibit 6.
16 Exhibit 6, I doubt you've seen this before; maybe you
17 have. It was a record in -- that was part of Corizon
18 records in connection with the background to your
19 employment. And let me pull this up for Rachel
20 again. It's on pause. Zoom share.

21 The only question I have is, it seems
22 to also capture the substance of some of the history
23 here. There is a -- and it's pretty faint, but
24 there's, it looks like, some handwriting towards the
25 -- the bottom, if I'm reading it correctly. It looks

1 like it says, "Did not serve time at CCC."

2 Do you see that?

3 A. Yes, I do.

4 Q. Okay. I'm assuming that CCC, that is
5 also an abbreviation commonly for the Chillicothe
6 Correction Center?

7 A. That is correct.

8 Q. All right. Is -- is that accurate or
9 inaccurate. Did ever serve any -- or were you ever
10 incarcerated at the CCC?

11 A. No.

12 Q. Okay. So the note is accurate?

13 A. The note is accurate.

14 Q. Okay. Also, not to spend too much
15 time on this, I -- the way I was reading the
16 background information, it didn't look like you were
17 ever incarcerated, you had some suspended sentences
18 and a probation deal or whatever, but is that
19 correct?

20 A. That is correct.

21 Q. Okay. That's what I thought.

22 All right. Now, also, in connection
23 with you -- your employment at Corizon, there were a
24 number of training and all sorts of things. I'm
25 going to focus my questions on issues related to

1 discrimination, harassment, reporting and that sort
2 of thing.

3 Do you remember what all Corizon, or
4 the Department of Corrections for that matter, did in
5 terms of either training or policies or anything that
6 was shared with you as an employee during your
7 employment?

8 A. I do remember a module that we were
9 required to complete on the computer on our own time
10 that did have a deadline, and the module was on
11 harassment and discrimination.

12 Q. Was that part of --

13 A. It may have been seven minutes long.

14 Q. Does that -- was that part of your
15 onboarding orientation or was it something separate?

16 A. It was something separate.

17 Q. Was it done as -- was it done at the
18 outset of your employment or was it something done
19 after you had been working there a while?

20 A. After I had been working there.

21 Q. Okay. Go to Exhibit 7.

22 MR. MATULA: And Rachel, I'm going to
23 have to pull this up piecemeal because actually
24 Exhibit 7 is a conglomeration of a few documents that
25 I have as separate files so I can't share it all in

1 one place, but I'll try to find some of the things if
2 we need to get into them.

3 BY MR. MATULA:

4 Q. Ma'am, Exhibit 7 is a conglomeration
5 of materials I put together of things I found through
6 the employment records that seem to deal with this
7 subject and I just kind of want to walk through it
8 here.

9 On the first page of Exhibit 7, it's
10 entitled Acknowledgment Receipt of Employee Handbook
11 Form, is that -- that is your signature?

12 A. Yes, it is.

13 Q. Okay. And the date of June 12th,
14 that's pretty much right when you started; right?

15 A. Yes.

16 Q. Okay.

17 MS. JAG: Hey, Mike, if you -- if you
18 indicate the Bates Numbers at the bottom of any of
19 these pages, that's very easy for me to follow that
20 too.

21 MR. MATULA: Sure. Okay. It will
22 jump around a little bit, but the first page of
23 Exhibit 7 is numbered Corizon 231.

24 MS. JAG: Perfect. Thank you.

25 MR. MATULA: And then I'm going to

1 skip Page 2 and come back, because I think I put it
2 out of order. But the third page of Exhibit 7 is
3 numbered Corizon 229.

4 BY MR. MATULA:

5 Q. And that's also another
6 acknowledgment, it looks like, you signed on June
7 12th.

8 Do you recognize that, your signature,
9 ma'am?

10 A. Say that again. On 2- --

11 Q. Third -- third page.

12 A. Yes. I signed that.

13 Q. And that is referring to an Employee
14 Success Guide?

15 A. Yes.

16 Q. All right. And then if we -- if you
17 go to the next pages in the document, which I've done
18 some excerpting, but -- but there are 540- -- Corizon
19 542, then continuing at Corizon 550 through 552.

20 Do you see those?

21 A. Yes.

22 Q. Okay. I'll tell you those are
23 excerpts from Corizon Employee Success Guide that
24 have some reference to employment policies,
25 harassment policies, and whatnot.

1 My question to you is, looking at
2 these materials, does this look generally familiar
3 with the materials that you had been provided with,
4 and were -- acknowledged receiving during your
5 employment?

6 A. Yes, it does.

7 Q. And then going further at Corizon 242
8 and 243, which I believe are the next two pages.
9 Those are a couple pages of actually materials from
10 the Missouri Department of Corrections. The first
11 page looks like something also with your signature
12 this time, signed on June 13th of 2017.

13 Do you see that?

14 A. Yeah, I see it.

15 Q. That is your signature; correct?

16 A. Yes.

17 MS. JAG: What page is this? I'm
18 sorry.

19 MR. MATULA: 242. It's entitled
20 Discrimination, Harassment, Retaliation and
21 Unprofessional Conduct Information Acknowledgement,
22 on what I would characterize as the Missouri
23 Department of Corrections letterhead, and it's --

24 MS. JAG: Okay.

25 BY MR. MATULA:

1 Q. And -- and it's indicating that your
2 signature -- you were indicating that you had
3 received a copy of D2-11.4 document.

4 A. Okay.

5 Q. Do you see that?

6 A. Yes, I do.

7 Q. Then if you turn to the next page to
8 Corizon 243, it -- the way I'm looking at it, it
9 appears that 243 is actually the -- maybe the
10 document that you were presented with that you
11 acknowledged receiving on the previous page.

12 Does that look right?

13 A. Yes, it does.

14 Q. And then going further into Exhibit 7,
15 we flip to some more Corizon documentation, Pages 638
16 through -- it goes to 641 which, I think, there's
17 kind of a summary of the -- kind of the table of
18 contents, and then it continues with Corizon 728 to
19 736, which they look like slides of maybe a
20 PowerPoint presentation or something like that.

21 Do you see that?

22 A. Yes, I do.

23 Q. Do you think that those -- those
24 pages, the ones that look like they have slides, is
25 that the same or different than the computer module

1 that you referred to a moment ago, or do you know?

2 A. This looks like -- actually it looks
3 like the module. Yeah.

4 Q. And the content of those pages -- and
5 I'm summarizing here, but the substance of those
6 slides all deals with issues relating to harassment,
7 what to -- what it might be, how to report it, how
8 people have to -- or should respond if they believe
9 there's inappropriate conduct going on and so forth;
10 correct?

11 A. Yes.

12 Q. On -- towards the -- on Page 2 -- I'm
13 sorry.

14 It's Bates Numbered 640, towards the
15 front, the instructions, there's -- and I'll let you
16 get there, but there's something -- a paragraph
17 called Shadow Objectives?

18 A. Uh-huh. I see it.

19 Q. Talking about a guy demonstrating
20 something. I'm -- I'm pointing that out, because
21 then if we flip towards the back there is -- on Page
22 Corizon 67, and you've got to slip back through the
23 slides, I know we're going back and forth.

24 A. Uh-huh.

25 Q. But there's another acknowledgment

1 page with your signature on it, that refers to
2 Harassment Shadow Objectives.

3 Do you see that page?

4 A. Uh-huh.

5 Q. Okay. And it -- it looks like you're
6 signing off and you were acknowledging that whatever
7 this shadow objectives or -- or the guided
8 demonstrations it looked like you're acknowledging
9 having been exposed to that?

10 A. Uh-huh.

11 Q. Is that accurate?

12 A. Yes.

13 Q. Okay. And so in terms of -- it looks
14 like all these documents, the Corizon materials, are
15 dated the 12th, which is your first day, and the
16 Missouri Department of Correction's pages were the --
17 with acknowledgments on the 13th, which is the next
18 day --

19 A. Uh-huh.

20 Q. -- those were all various materials
21 and whatnot that you were provided with and exposed
22 to right at the outset of your employment; fair?

23 A. Correct.

24 Q. Okay. Then on the last page of
25 Exhibit 7 there's something -- it's entitled -- and

1 it's numbered Corizon 111.

2 A. Uh-huh.

3 Q. It's entitled Certificate of
4 Achievement. "This is to certify Terri LaBlance has
5 completed the course 2018 Discrimination, Harassment,
6 Retaliation, and Unprofessional Conduct."

7 Do you see that?

8 A. Yes.

9 Q. Okay. Do you remember what it was
10 that you had done to -- to get the certificate?

11 A. Yes.

12 Q. What was it?

13 A. It was completing the lesson on the
14 computer module.

15 Q. So that was like some supplemental
16 training or education or whatnot beyond what you had
17 been provided with at the outset of your employment?

18 A. I believe it was the same thing.

19 Q. Okay. Well, maybe a refresher?

20 A. Well, it was the same.

21 Q. The content might have been the same,
22 but it was something that occurred in 2018 as opposed
23 to 2017 when you started?

24 A. Correct.

25 Q. Got it. All right.

1 Let's switch gears and do a little bit
2 of who's who.

3 What was your understanding as to
4 Jenny Meehan's role and responsibilities with regard
5 to the Chillicothe Correctional Center?

6 A. She was the regional clinical
7 director, so she over -- she was -- she oversaw the
8 clinical operations for the region. Yeah.

9 Q. And Ms. Meehan would sometimes be
10 onsite at Chillicothe, but she was not there every
11 day?

12 A. Correct.

13 Q. What was -- what was Hollie Hild's
14 role? Do you remember Hollie?

15 A. Hollie Hild had come in as onsite
16 administrator for a brief period of time.

17 Q. How did you get along with Hollie?

18 A. I don't -- nothing stands out positive
19 or negative with Hollie.

20 Q. How did you get along with Ms. Meehan?

21 A. Professionally we had a working
22 relationship.

23 Q. All right. You mentioned Mr. Lovelace
24 who you met in connection with your hiring, how --
25 he's in Jeff City?

Video Deposition

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1 A. This is correct.

2 Q. How much interaction did you have with
3 Mr. Lovelace during your employment of Corizon, if
4 any?

5 A. During my time at Corizon when I was
6 with the DOC in Chillicothe, my -- I would say,
7 because he was the regional medical director, that
8 was who I contacted if I had questions about
9 patients, referrals, you know, what direction I
10 should go in treatment or diagnoses, that kind -- or
11 suggest a follow-up, as a medical professional.

12 Q. Other than your interview, have you
13 ever met Mr. Lovelace in person?

14 A. Yes, I have.

15 Q. And -- and was he onsite at
16 Chillicothe or how did that come up?

17 A. Actually, I gave an invitation to him
18 for a cookout on a holiday.

19 Q. And when was that?

20 A. Not long after my hire date. I can't
21 tell you exactly which holiday it was.

22 Q. Gotcha. And was that in Kansas City?

23 A. Yes.

24 Q. And did Mr. Lovelace attend?

25 A. Yes, he did.

1 Q. He came up from Jeff City and attended
2 your cookout?

3 A. Yeah, I don't -- yes. I can't say he
4 came just for the cookout, but he was in Kansas City
5 and did come.

6 Q. Gotcha. Other than the interview and
7 the cookout, ever been with Mr. Lovelace in person?

8 A. Yes.

9 Q. Okay. What else?

10 A. I had -- we had a family quinceañera
11 that I invited him to. It was for my niece.

12 Q. And was this during your employment or
13 after?

14 A. During.

15 Q. And did he attend?

16 A. Yes, he did. He's -- yes. He's --
17 he's a family friend now.

18 Q. Did you know Mr. Lovelace at all
19 before your employment started with Corizon?

20 A. No.

21 Q. If I understand your testimony, you
22 didn't know Jerry before, but in connection with your
23 employment and whatnot, he has -- he did become a
24 family friend and it looks like he's attended at
25 least two family events, the -- the deal with your

1 niece and then also the cookout?

2 A. Yes.

3 Q. Any -- any other times other than
4 those two -- I guess, those three, counting the
5 interview, that you've met with Jerry or been with
6 Jerry in person?

7 A. There may have been one other time.
8 He is friends with my husband and I think they may
9 have at one other time had some outing that they
10 participated in together. And I may have seen him
11 briefly -- or I did see him briefly at that time.

12 Q. He was doing something with your
13 husband, but you might have seen him --

14 A. Briefly at that time, yes.

15 Q. Okay. All right. Have you -- maybe
16 -- has your family stayed in contact with
17 Mr. Lovelace since your employment with Corizon
18 ended?

19 A. No.

20 Q. Why not?

21 A. I did not want to jeopardize or
22 involve him in this situation directly.

23 Q. Sterling Ream. What was Sterling's
24 role?

25 A. Sterling initially was a staff nurse

1 that worked on an as-needed basis, I believe. And
2 she later took the position as the facility admin --
3 or yeah, the facility administrator.

4 Q. How did you and Sterling get along?

5 A. I thought we had a workable -- you
6 know, mutually respected working relationship.

7 Q. And what was Karen Epperson's role
8 while she was there?

9 A. She was the onsite medical director.

10 Q. So would the hierarchy on the medical
11 side in terms of clinical -- or clinicians, would
12 you -- would she also report to Jerry?

13 A. Yes.

14 Q. And did -- was -- and she's a
15 physician, a doctor?

16 A. She would -- she would actually report
17 to Bredeman first, and then Dr. Lovelace.

18 Q. Okay. But in terms of -- I know it's
19 kind of a little scrambled because you've got people
20 onsite, and then you have different reporting
21 structures in terms of being onsite and then also
22 through the different functions, clinical or
23 otherwise; right?

24 A. Correct.

25 Q. Did -- I guess, did you have -- did

1 you consider yourself to have some type of reporting
2 relationship to Dr. Epperson?

3 A. Yes.

4 Q. Okay. And -- and Dr. Epperson was
5 onsite at the facility?

6 A. Correct.

7 Q. And so she was kind of like you, on
8 the clinician side, your first supervisor?

9 A. Yes, but I will point out that
10 oftentimes due to the nature of my specialty, she was
11 not able to guide me in -- in manners of, you know,
12 clinical diagnosis or treatment, that kind of thing
13 when it comes to women's health, because that was not
14 her expertise, so oftentimes, I would just speak with
15 the person that could help me.

16 Q. And so who would that have been?

17 A. That would have been Dr. Bredeman.

18 Q. Got it. How did you get along with
19 Dr. Bredeman?

20 A. It was a working relationship. He was
21 available to help me in my practice when needed, via
22 telephone, and to help guide me in the decisions that
23 I had questions about that needed to be made
24 regarding patient care.

25 Q. And at least through the end of your

1 employment with Corizon, you and Dr. Epperson had a
2 very good relationship; true?

3 A. I would say that that's probably not
4 true. I thought we had a good relationship. That is
5 my being naive, apparently.

6 Q. You considered yourself to have a good
7 relationship with Dr. Epperson at least up until the
8 end of your employment? I mean, while you were
9 working there, you were tight with her, you were
10 friends?

11 A. I wouldn't say "tight." I would say
12 that we -- I believed that we shared a similar
13 belief, a similar faith, and we spoke on those things
14 on numerous occasions so with that being the case, we
15 worked together, you know, five days a week and that
16 was our relationship. I did extend myself as a
17 friend and a co-worker and -- because that's who I
18 am.

19 Q. Just so I understand what you're
20 saying there. I mean -- I mean, while you worked
21 with her, did you consider Dr. Epperson a friend or
22 not?

23 A. I considered myself a friend to her.

24 Q. All right. What was Vali Kirby's
25 role?

1 A. She was a nurse practitioner.

2 Q. So how would her job duties interact
3 with yours, if at all?

4 A. We both were providers there at
5 Chillicothe, and we worked together four days a week.
6 We would sometimes confer on different cases that
7 we -- that, you know, were presented to us and
8 different aspects.

9 Q. How did you get along with Ms. Kirby?

10 A. I -- we had a working relationship.
11 Our personalities were a little bit different, but it
12 was -- I was respectful and kind.

13 There were some things I chose not to
14 engage in when it came to our relationship, my
15 relationship with her. But for the most part, it was
16 a -- amicable.

17 Q. Friendly enough?

18 A. So I thought.

19 Yeah.

20 Q. You described a moment ago as you and
21 she having different personalities, can you give me
22 any more examples or in a mind's eye view what you
23 mean by that?

24 A. I try not to engage in gossip, and,
25 you know, the shop talk kind of thing. It's just not

1 my thing. So I don't huddle and do that sort of
2 thing, and I don't receive it when it comes. It was
3 kind of that kind of catty thing. Where you wanted
4 to bring things to me about other employees that
5 worked there, whether that's on a professional level
6 or a personal level, and you know, my thing is, if
7 you don't -- if a dog will bring a bone, he'll take a
8 bone, so I don't engage in that type of thing, so....

9 Q. You felt she was a little bit more of
10 a gossip?

11 A. Yes.

12 Q. Fair enough.

13 You used the term "providers" and --
14 and we'll see that in some of the documentation here,
15 so -- but I want to make sure I have a correct
16 understanding, in terms of the terminology of
17 providers at the Center, we're talking about a
18 medical provider, someone who is licensed to provide
19 medical assistance in some way; is that accurate?

20 A. A clinician, yes.

21 Q. Right. So that would be Dr. Epperson
22 in terms -- let me back up.

23 In terms of people who were onsite in
24 Chillicothe, providers during your time there would
25 be Dr. Epperson?

1 A. Yes.

2 Q. Her predecessor?

3 A. Yes.

4 Q. Whenever -- okay.

5 You?

6 A. Yes.

7 Q. Ms. Kirby?

8 A. Yes.

9 Q. Who else would be a provider?

10 A. We had the dental department, so there
11 were two dentists -- well, sometimes -- there was a
12 part-time or -- dentist. A couple of them, actually.
13 Yeah.

14 Q. Okay. All right. Let's go back,
15 again, to Exhibit 1, and we'll discuss more of the
16 events that you refer to in your single-spaced
17 narrative.

18 A. Okay.

19 Q. Actually, I'm going to forge ahead and
20 maybe try and do some chronological -- before we get
21 there. I apologize.

22 MR. MATULA: Let's do this:

23 If we can have the next exhibit,
24 Laurel, 8.

25 BY MR. MATULA:

1 Q. Ma'am, Exhibit 8, which is Bates
2 Numbered 478 through 480. That is entitled a
3 Memorandum on DOC letterhead dated June 20th to you
4 from Darin Morgan who is the acting warden. That's
5 in the -- that's the first page.

6 And then the next two pages look like
7 -- are what I think are your handwritten notes, where
8 you're --

9 MS. JAG: Can you, please -- oh, I'm
10 sorry, Mike. Could you please repeat the page
11 numbers of that again.

12 MR. MATULA: Sure. 478 through 480.
13 BY MR. MATULA:

14 Q. And the gist here, it looks like
15 you're just letting someone know that you happen to
16 know one of the inmates at the facility, and then the
17 acting warden writes back, is that the gist of that
18 documentation, Exhibit 8?

19 A. Yes. As we were required to do.

20 Q. Right. And --

21 MR. MATULA: Rachel, look at me go,
22 I'm screen sharing. Maybe. Anyhow --

23 MS. JAG: If you're sharing your
24 screen I can see it.

25 BY MR. MATULA:

1 Q. All right. In any event, how did you
2 know this one inmate?

3 A. I met her through who is now my
4 husband at the time. He was my significant other.
5 She was a friend of his.

6 Q. Okay. And it sounds like at some
7 point, you had some interaction and realized that she
8 was at the CCC, and so consistent with the
9 expectation, you made someone aware of that, and the
10 acting warden acknowledged it, and that's basically
11 all this means?

12 A. Correct.

13 Q. Okay. All right.

14 MR. MATULA: The next exhibit, please.
15 This is 469.

16 BY MR. MATULA:

17 Q. Ma'am, this is a Corizon document
18 dated July 26th. It looks like from Timothy Hughes,
19 regional medical director and the credentialing
20 committee chairperson to you.

21 Do you see that?

22 A. Yes, I do.

23 Q. And he -- he is pleased to inform you
24 that your credentialing status is complete. What
25 does this mean, or what did you understand it to

1 mean?

2 A. That they verified my education,
3 licensure, and background.

4 Q. And now this is --

5 A. Work history.

6 Q. You've been on the job for about a
7 month and a half?

8 A. Correct. As -- according to the date
9 on this letter that's when this was created, this
10 document was created, apparently.

11 Q. Right. And -- and you're not -- I'm
12 going to rely on the date being accurate, unless you
13 tell me that you have some specific memory that
14 that's -- hey, that can't be right or whatever.

15 Does that sound right?

16 A. I -- I assume that this was the date
17 that this was generated.

18 Q. And on the -- there's -- on the third
19 paragraph down, it does state that "Based on your
20 application, you have not been granted privileges to
21 prescribe controlled substances."

22 Do you see that?

23 A. Yes, I do.

24 Q. All right. And did you have any -- do
25 you know if that was normal or -- or was there any

1 discussion about that limitation in your
2 credentialing?

3 A. No, there was -- there was no
4 discussion. It was -- it wasn't necessary for the
5 role that I was serving in.

6 Q. Gotcha. And --

7 A. And I do actually now have that
8 ability.

9 Q. Gotcha.

10 MR. MATULA: Let's go to Exhibit 10.

11 BY MR. MATULA:

12 Q. Exhibit 10, which is Bates Number 474.
13 It looks like a Corizon corrective action dated --

14 Oh, this is your version. I'm sorry.
15 My bad.

16 It looks like a corrective action just
17 for some -- maybe some unscheduled absences that you
18 had had that month in July of 2017.

19 A. Yes.

20 Q. Do you remember that?

21 A. Yes, I do.

22 Q. And you signed this corrective action?

23 A. Yes, I did.

24 Q. I mean, did you have any problem with
25 it? Was it fair, or anything you thought was unfair

1 about getting this, given the absences or whatnot?

2 A. I don't -- how do I say this? At that
3 time, this was shortly after I accepted the position
4 that these dates were missed because I did not have a
5 caregiver on those dates unexpectedly. So that I was
6 not able to go in to work. That was explained.

7 The absences were understood, but per
8 policy, this was necessary and this is what I was
9 explained by Mrs. McWhorter, that this was necessary
10 per policy and that it would come off or out of my
11 file after six months, barring no other problems.

12 Q. I mean, I guess let me put it another
13 way.

14 I mean, given the policy, the
15 attendance expectation, whatever circumstances you
16 were not able to be at work on certain days, do you
17 have any problem with getting this? I mean --

18 A. No, I did not have a problem with
19 getting this.

20 Q. Fair enough. Let's go to --

21 A. I believed it to be consistent with
22 policy and procedure.

23 MR. MATULA: Fair enough. Let's go to
24 Exhibit 11.

25 BY MR. MATULA:

1 Q. Ma'am, Exhibit 11, which is Bates
2 Numbered Corizon 317 through 335. It's entitled
3 Collaborative Practice Agreement Advanced Practice
4 Registered Nurse State of Missouri and you and
5 Dr. Epperson are the -- the respective parties.

6 Do you see that?

7 A. Yes, I do.

8 Q. What was your understanding of what a
9 Collaborative Practice Agreement is and -- and why it
10 is -- why it was being used?

11 A. A Collaborative Practice Agreement is
12 an agreement that is between a practicing physician
13 in the State of Missouri, as well as myself as a
14 nurse practitioner.

15 And that -- that physician is, in
16 short, agreeing to, sort of oversee my practice, be
17 available for questions, guidance, and to maybe
18 follow patients that may exceed my scope of practice,
19 and because she was onsite, she was the onsite
20 medical director, you have to have a physician within
21 a certain number of miles in the State of Missouri in
22 order to be able to see patients, and someone to
23 actually review 10 percent of your charts on a
24 regular basis, scheduled basis, and as medical
25 director that was part of actually her responsibility

1 onsite.

2 Q. During your employment at Corizon, did
3 Dr. Epperson ever say or do anything that suggested
4 to you that she was uncomfortable with being in the
5 Collaborative Practice Agreement with you?

6 A. No, she did not.

7 Q. Did you ever see or hear anything from
8 somebody else that suggested that Dr. Epperson had
9 any problem being in the collaborative practice
10 agreement with you?

11 A. No, I did not. As I said, I think
12 that with this situation, it was a requirement as
13 part of her -- her role there as medical -- onsite
14 medical director.

15 Q. All right. Now, let's flip back to
16 Exhibit 1 and you can go to that narrative.

17 MR. MATULA: And also, Laurel, if you
18 want to pull out the next exhibit and have it handy
19 because we're going to go back and forth on that.

20 MS. JAG: Did you say we're going back
21 to Exhibit 1? I'm sorry.

22 MR. MATULA: Yes. And also, we are
23 going to -- I'm going to have questions about
24 Exhibit 1, but I'm also distributing Exhibit 12,
25 which is Bates Numbered Corizon 3 through 15.

1 BY MR. MATULA:

2 Q. All right. Ma'am, in your narrative
3 on -- in Exhibit 1, Page 7 of 15, at the last
4 paragraph you refer to the initial discrimination
5 event occurring on or around September 1st.

6 Do you see that? The very bottom
7 of -- of --

8 A. Yes, I do.

9 Q. Okay. And that was a situation where
10 a co-worker had -- was referring to an antenna or
11 piece of equipment and -- and used racially
12 inappropriate language in that situation; true?

13 A. Yes.

14 Q. And if we -- just to clarify our
15 timeline, I think if you look at Exhibit 12, and look
16 at the materials in there, you'll see that it appears
17 that maybe the -- the date of the incident was
18 actually August 29th. So very close, but if you look
19 at, for example, all the statements and whatnot that
20 are part of Exhibit 12, can we agree that the
21 incident that is being referred to here, it looks
22 like it actually took place on August 29, 2017?

23 A. According to the emails here that were
24 sent following the incident, it appears that it was
25 August the 29th.

1 Q. Right. And Exhibit 12, is -- it's --
2 it's a conglomeration of documents going all the way
3 to what I believe you're referring to here. It's got
4 some emails, it's got several -- in addition, it's
5 got several statements from various witnesses, one of
6 them is from you. That's toward the end. Corizon
7 13, I think it's maybe the third to the last page.

8 Do you see that? It's numbered
9 Corizon 13.

10 A. Yes.

11 Q. Okay. And now, this is typewritten,
12 but I mean, it's -- it purports to be from you on
13 August 29, 2017.

14 Do you see that?

15 A. Uh-huh.

16 Q. And did you in fact write this -- or
17 type out this statement?

18 A. Yes, I did.

19 Q. Okay. And does it accurately capture
20 what happened that day?

21 A. Yes.

22 Q. And again, I know this might not be a
23 transcript, but when you were submitting this
24 statement you wanted to be accurate and complete as
25 to the -- what you felt were the important pieces of

1 what happened; true?

2 A. Yes.

3 Q. All right. And do you know who you
4 submitted the -- this statement to?

5 A. Teresa McWhorter.

6 Q. Okay. I -- I believe that's accurate.
7 And in fact, it was -- as I understand, correct me if
8 I'm wrong, but as I understand it, looking through
9 the paperwork, that this incident where -- where this
10 co-employee whose name was Anna Barker, apparently --

11 A. Uh-huh.

12 Q. -- the incident actually was initially
13 that same day reported by someone else who was there,
14 and Teresa had reached out to you to find out what
15 you knew about it; is that correct?

16 A. Yes.

17 Q. All right. And the punch line is
18 Ms. Barker was fired; true?

19 MR. NUGENT: Object to form.

20 You can answer.

21 A. As -- she was let -- yeah, she was
22 terminated.

23 BY MR. MATULA:

24 Q. Yeah, she didn't -- within a day or so
25 of this occurring, she didn't work at Corizon

1 anymore, did she?

2 A. That is correct.

3 Q. Okay. And if we look at -- and -- and
4 I'm guessing that either prior to today or certainly
5 prior to the lawsuit, you might not have seen other
6 parts -- or other components of the documents in
7 Exhibit 12, other than your own statement, but, if we
8 look -- if we kind of work from back to forward,
9 ma'am.

10 A. Uh-huh.

11 Q. It looks like that Anna Barker herself
12 had to write out a statement on that very day and the
13 first word of her statement on the very last page is
14 "Today."

15 A. Okay.

16 Q. Do you see that?

17 A. Uh-huh.

18 Q. And then, I'm working back to front,
19 next we have a statement from Joyce Gilgour,
20 G-i-l-g-o-u-r, a medical clerk, it looks like she was
21 also -- someone approached her to get information and
22 she wrote out a statement that same day; right?

23 A. Yes.

24 Q. Then we have yours; it looks like it
25 was collected the same day.

1 Next, I think, is Jennifer Preston,
2 typewritten communication, also dated the 29th --

3 A. Yes.

4 Q. -- about the incident?

5 We've got Chandra Tipton, another
6 statement about the incident; right?

7 A. Uh-huh.

8 Q. We've got Teresa McWhorter -- I'm
9 sorry -- Jennifer Horton. It doesn't sound like she
10 saw anything firsthand, but someone was -- she was
11 submitting a statement saying what she had learned
12 that day?

13 A. Uh-huh.

14 Q. We've got Sterling Ream --

15 A. Uh-huh.

16 Q. -- giving her account of how she
17 became aware of it and what she did to check into it;
18 right?

19 A. Uh-huh.

20 Q. Then we've got a memo from Teresa to
21 Heather Dale and Jenny Meehan also that very same day
22 that's -- kind of summarizing some of the events of
23 the day, including Teresa mentioning that she had
24 spoken with -- with you.

25 Do you see that? This is Page 8.

1 Corizon 8.

2 A. Yes.

3 Q. Then Corizon 5, we've got, it looks
4 like this is the final version, but it was a draft
5 for request for termination and on the front page of
6 Exhibit 12, Heather Dale, who is in human resources
7 is concurring with the RFT, which is the request for
8 termination, and that's on August 30, 11:29 a.m.

9 Do you see that?

10 A. I was looking at this.

11 Q. Sure. No, take your time. Let's --

12 A. What -- what -- 11:20- -- yes, I see
13 it.

14 Q. Okay. So, I mean, it looks from the
15 materials we have here, it looks like what happened
16 is, this Anna on August 29th, at some point, had this
17 interaction in front of you and some others. It gets
18 reported, several people, I think maybe six or so are
19 -- at least six or so are interviewed that very same
20 day, and the next day, human resources is okaying
21 Anna being fired for what she did?

22 A. That is correct, to my -- to the best
23 of my knowledge. I have not, yeah -- I had not seen
24 these statements previously.

25 Q. Sure. And I -- that's why I wanted to

1 show you because I knew you probably didn't know the
2 ins and outs.

3 But looking at this here and just what
4 did you know of the timeline of when it happened and
5 when you were talked to and Mrs. Barker being let go
6 very shortly thereafter, would you agree that Corizon
7 when this incident was reported, looks like, they did
8 a prompt investigation as to what happened?

9 MR. NUGENT: Object to form.

10 You can answer.

11 A. It -- it looks like they addressed it.
12 I guess -- I don't know if that's an investigation
13 or --

14 BY MR. MATULA:

15 Q. I -- I don't know. When you --

16 A. But -- and she was terminated on the
17 following day, and that was the end of it.

18 Q. Right. Did you -- I mean, based on
19 what happened, did you want or expect Ms. Barker to
20 be fired?

21 A. I don't know if I had any
22 expectations.

23 Q. Okay. Was -- and based on what she
24 had done, do you think that it was appropriate for
25 her to be fired?

1 A. Yes, I do.

2 Q. And in terms of Corizon, what -- I
3 guess, what did you expect Corizon to do when the
4 Barker incident was reported?

5 A. As I said, I don't know if I had any
6 expectations. This situation, this incident, really
7 did sort of catch me off guard. It was not expected.
8 This was not -- and so I don't know what expectations
9 I could have had, because I didn't expect this to
10 occur.

11 Once it did occur, and she was
12 terminated, I would have expected, or I did expect,
13 that it wouldn't have just stopped right there at
14 that time. Because this was the first real tangible
15 incident or behavior -- witnessed behavior of the
16 culture that was present that I had just walked into,
17 if that makes sense to you. Because anyone that
18 would feel this comfortable to say that around anyone
19 of color or not, says something about the culture
20 that is there.

21 Q. Well, one, you'd been -- at this time,
22 you had been working there a few months.

23 A. Uh-huh.

24 Q. This was the first, as you put in your
25 own writing -- this is the first incident --

1 discrimination incident -- that you had been exposed
2 to?

3 A. This is the first verbal -- outright
4 verbal.

5 Q. Well, let's go back to what you wrote
6 in your discrimination complaint in your
7 single-spaced paper, the first paragraph.

8 A. Uh- huh. Uh-huh.

9 Q. You wrote, "the initial discrimination
10 event." All right. Now, when you say "initial" --

11 A. Okay. Yes, I did say that.

12 Q. -- there's nothing in your description
13 anywhere in here that you prepared even back in March
14 of 2019, where you mentioned anything of any kind
15 happening before the -- the Anna Barker situation.

16 A. Okay.

17 Q. Is that accurate?

18 A. Well, that is accurate, as far as this
19 letter goes, but as a black female, as an
20 African-American in America, in Missouri, at
21 Chillicothe, you know, I can safely tell you that
22 verbally, nonverbally, overtly, covertly, the
23 incidents are there.

24 As someone who has been black all of
25 my life, unfortunately there are many times that

1 things occur that may not be said that I have to be
2 very careful and pick and choose, and decide which
3 fights to fight. Because I can't fight them all, all
4 the time. Those types of things can potentially
5 stifle my career, my employment, my -- my plans, per
6 se.

7 There's no such thing as the squeaky
8 wheel gets the grease, you know, it's -- because of
9 the way the culture is, the way that things have
10 been, where I was at specifically. You -- you have
11 to -- you have to, in my shoes, sort of go on as if,
12 anyway, if that makes any sense.

13 Unfortunately, we do live in a world
14 where these thought processes and beliefs and
15 disparities exist. Okay? And unfortunately, because
16 I am black -- not that its unfortunate that I'm
17 black, but unfortunately this -- this whole thing is
18 even a part of American culture.

19 Does that -- does that kind of clarify
20 why I say the initial discrimination event? So it
21 was the initial overt event where someone actually
22 felt like it was okay to use that verbiage
23 irregardless of who's standing around, and what that
24 tells me is this is not an uncommon occurrence about
25 how you feel and how you do things, because you

1 actually -- there was no filter. There was no
2 filter. It just sort of rolled off your tongue, and
3 you know, I -- I don't believe that it would have
4 been a shock to anyone there if I had not been
5 present. Does that make sense?

6 It's an inappropriate statement
7 irregardless of who was there, but it's an okay
8 statement as long as someone who looks like me is not
9 present in this particular culture at that particular
10 time. And unfortunately in many other places that
11 I've, you know, been at.

12 MR. MATULA: I'm going to object to
13 the answer as being nonresponsive after her first
14 sentence.

15 BY MR. MATULA:

16 Q. You gave me a lot of information that
17 I don't think I asked you about yet.

18 Do you remember what my last question
19 was?

20 A. You said was there any other events
21 prior to this one, was this the initial
22 discrimination event, is that the question?

23 MR. MATULA: Laurel -- Laurel, can you
24 find my last question and reread it, please.

25 (Whereupon, the requested portion of the

1 record was read by the reporter as follows:

2 "QUESTION? You wrote, 'the initial
3 discrimination event.' Now, when you say
4 'initial' there's nothing in your
5 description anywhere in here that you prepared
6 even back in March of 2019, where you
7 mentioned anything of any kind happening
8 before the Anna Barker situation. Is that
9 accurate?")

10 A. And I did say that was, yes --

11 BY MR. MATULA:

12 Q. Okay. All right.

13 A. -- there's nothing written.

14 Q. All right. The -- I want to -- I'm
15 going to go ahead and jump ahead based on some things
16 you did mention.

17 With regard to racially inappropriate
18 language, the only thing I've seen in -- in any
19 materials you've ever prepared that refers to
20 inappropriate racial language related to the Anna
21 Barker situation, is there any other times while you
22 worked at Corizon that anyone used racially
23 inappropriate language?

24 A. Not that I heard.

25 Q. Was there any other incidents that you

1 believe occurred that you were made aware of
2 secondhand, hearsay stuff, that someone told you
3 about?

4 A. Not to my recollection.

5 Q. Because I would -- I would assume that
6 if -- had you been aware of any such incidents that
7 would have been something that would have been
8 significant enough to memorialize here and it's not
9 here. So in terms of racially inappropriate
10 language, that -- we're dealing with the Barker
11 situation, and that's it?

12 MR. NUGENT: Object to the form.
13 You can answer.

14 A. I think that in addition to your
15 assumption we can also assume that once Anna Barker
16 was terminated for inappropriate language, that most
17 folks would -- that were there did not want to follow
18 suit, meaning that I can't say that it didn't happen,
19 I can say I wasn't aware of it.

20 BY MR. MATULA:

21 Q. You have no evidence that it did
22 happen?

23 A. And I have no evidence that it didn't.

24 Q. Well, I mean, you worked there for
25 another couple years. You went to work full-time?

1 A. Uh-huh.

2 Q. You never heard it and no one ever --
3 else ever told you that it occurred. So sitting here
4 today, you have no evidence that while you worked
5 there anybody else used racially inappropriate
6 language?

7 MR. NUGENT: Object to form.

8 You can answer.

9 A. Not that anyone used racially
10 inappropriate language, but going back to the culture
11 of the environment and the way that that incident
12 occurred, the way that things are set up, the way
13 that the environment is, the experience that I had,
14 although she was fired, just indicates to me that
15 that is a prevalent behavior.

16 BY MR. MATULA:

17 Q. Well, I don't want to belabor this too
18 much, because it's getting close to lunch. But, I
19 mean, these are the facts; right? Prior to Anna
20 Barker, while working at Corizon, you had not heard
21 any racially inappropriate language; true?

22 A. That is correct.

23 Q. After Anna Barker was fired, you
24 didn't hear any racially inappropriate language;
25 true?

1 A. True.

2 MR. MATULA: Probably good time for a
3 break. You want to do it now?

4 MR. NUGENT: If you want.

5 MR. MATULA: Yeah, let's do it.

6 THE VIDEOGRAPHER: Going off the
7 record at 12:14 p.m.

8 (Noon recess taken.)

9 THE VIDEOGRAPHER: Stand by.
10 We are back on the record at
11 12:52 p.m.

12 BY MR. MATULA:

13 Q. Ms. LaBlance, we've had a short break
14 for lunch, and we're resuming your testimony.

15 Are you ready to go?

16 A. Yes.

17 Q. All right. You had testified earlier
18 that you had invited Jerry Lovelace to a couple
19 family events, is there anybody else from -- who
20 worked at Corizon that you also asked -- invited to
21 similar events?

22 A. No. I invited Mr. Lovelace, I knew
23 that he was -- or Dr. Lovelace, he was out of town
24 without family in the immediate area and had not had
25 an opportunity to see much of Kansas City at all, and

1 that was why the invitation was extended to him
2 specifically.

3 Q. All right. Going to Exhibit 13.
4 Which is Bates Number Corizon 471.

5 Ma'am, you've got Exhibit 13, it's a
6 Memo to File from Hollie Hild dated 4-27-18,
7 purporting to memorialize a conversation with you
8 about something that happened during a provider
9 meeting.

10 Do you see that?

11 A. Yes, I do.

12 Q. Do you remember the incident that
13 Ms. Hild is referring to?

14 A. Yes, I do.

15 Q. I guess, what happened at the meeting?

16 A. During a meeting we were having a
17 conversation, I was expressing my viewpoint on the
18 matter. I don't remember what the specific topic of
19 this particular meeting was, and I kept getting
20 interrupted and not allowing to complete my thought
21 or my state- -- my statement and I raised my voice
22 and asked them to please not interrupt me. And I
23 proceeded to finish my statement.

24 The following day -- morning --

25 Q. Let me stop you right there, just so I

1 understand. Who's all in the room? Who's all in
2 this meeting?

3 A. Oh, goodness. Well, let's see here.
4 These three that are named here, I believe Nurse
5 Practitioner Kirby was there, Hollie was there.

6 Q. Hollie?

7 A. Yes, the -- the lady that actually
8 authored this statement.

9 Q. Oh, Hollie. I'm sorry.

10 A. Hollie Hild. And I, at this time,
11 don't remember who else was in the room.

12 Q. So I've got my list. We've got in
13 terms of people who were in the provider meeting --

14 A. Uh-huh.

15 Q. -- you believe that there's
16 Dr. Epperson, Director of Nursing Corbin, yourself,
17 Ms. Kirby, Hollie Hild, and that's all you can
18 remember?

19 A. That's all I remember, correct.

20 Q. Okay. Let me ask you:

21 Who -- were all of the people
22 interrupting you, or was there one person
23 interrupting you, who was doing the interrupting and
24 cutting you off where you got frustrated and raised
25 your voice?

1 A. There -- I don't remember exactly who
2 it was. They kept interrupting me; I raised my
3 voice. I proceeded to finish my statement.

4 The following morning I was called in
5 to the administrator's office. Dr. Epperson, I
6 believe, Val and Hollie were there and the concern
7 was that they had never seen me so upset and they
8 were afraid that I was going to hit someone.

9 Now, this was alarming to me, as I
10 never left my seat. I never said anything or
11 indicated -- made any movement whatsoever that would
12 indicate that I would strike out violently,
13 physically. I just wanted to be able to speak and be
14 heard as I have allowed others to speak and be heard.

15 And the situation is such that it was
16 alarming to me, because just the previous week -- or
17 thereabout, we had a small meeting in the
18 administrator's office, and Nurse Practitioner Kirby
19 threw a pen across the room, she was so frustrated,
20 she threw a pen, but that didn't alarm anyone as
21 being threatening, but when I raised my voice, they
22 felt threatened, so they said, and that was just
23 another indication of -- or another time that I would
24 say that race made a difference, that you know,
25 raising my voice is -- is reason to have a meeting,

1 but throwing a pencil has no consequences or
2 reprimand or -- at all.

3 Q. Sitting here today, do you know if
4 Ms. Kirby was ever talked to about that?

5 A. No, I do not.

6 Q. Right. Because you would not
7 necessarily know whether someone said, Hey, you can't
8 be throwing stuff around a meeting or not?

9 A. So it wasn't anything formal? It
10 would have just been --

11 Q. I'm just asking you, sitting here
12 today, you don't know one way or the other, whether
13 Ms. Kirby was talked to or whether the incident where
14 she threw the pencil was addressed?

15 A. But I do know that --

16 Q. Ma'am --

17 A. I've answered that question and I'll
18 answer it again. No, I do not know.

19 But I do know that Ms. Kirby has a
20 tendency to gossip and -- and -- and talk quite a
21 bit. And had something like that occurred at that
22 time, I'm pretty -- 95, 98 percent sure that she
23 would have verbalized it, because obviously she
24 didn't think it was offensive or threatening to throw
25 a pen across the room.

1 Q. Okay. You've answered a couple
2 questions that I haven't asked yet.

3 A. Okay.

4 Q. And -- and I apologize if this already
5 got established on the record, but I -- I want to
6 just try to get some real clear -- because maybe I
7 missed how the exact Q&A went.

8 Ma'am, sitting here today, you don't
9 know one way or the other, whether anyone addressed
10 Ms. Kirby about throwing the pencil in the meeting
11 that you just described. True statement?

12 A. That is a true statement, as I said
13 before.

14 Q. Okay. When -- okay. So we've covered
15 what happened in the provider meeting. You -- you
16 started telling me what happened at this follow-up
17 meeting that lead to this Exhibit 13 where someone
18 tells you they've never seen you that upset, you were
19 alarmed by their reaction, because you never left
20 your seat, you -- you mentioned the situation with
21 Kirby the previous week.

22 Is there anything else you remember
23 being said in the meeting on the 27th, other than --
24 let me back up.

25 In the meeting on the 27th, you were

1 told that people have never seen you that upset
2 before, they thought you might hit someone or words
3 to that effect, and you found this alarming because
4 you never -- you never raised -- or never even got
5 out of your seat or did anything that you thought
6 would make someone think that there was a safety
7 issue.

8 Anything else that you remember being
9 said in the meeting?

10 A. In this particular meeting, I don't
11 recall -- I don't remember anything specific being --
12 anything else specifically being said, but what I do
13 remember is that I was called in for asking people
14 not to talk over me, and it was an issue because I
15 had to raise my voice to be heard, and as a black
16 woman, for some reason, they think that raising my
17 voice is an automatic -- or a correlation with
18 violence.

19 But violence --

20 Q. Did they -- did they say that?

21 A. No, it's -- it's -- it's being said by
22 the actions that they took. They don't have to say
23 things. Sometimes -- well, the actions are just as
24 relevant and I'm in a room where three other people
25 are there as a panel, which was a little unnerving in

1 and of itself, to address me as an African-American
2 woman raising my voice asking to be heard, as if I
3 did not have the right to do that.

4 Q. Did you -- did you say that to them in
5 this meeting on the 27th?

6 A. I told -- no, I did not. What I did
7 tell them, because I wanted to assure them that I am
8 not a violent individual, and that raising my voice
9 does not constitute a violent act, I had to make sure
10 that I reassured them that I didn't mean anything
11 threatening, because at this point I'm trying to
12 preserve my job, my reputation, and -- and my working
13 relationship with the people that are there.

14 And so I can't be hostile or defensive
15 because of their perception, all be it lacking any
16 type of basis whatsoever.

17 Q. During this -- the meeting on the
18 26th, where you were being interrupted, did anyone
19 else raise their voice or were they just interrupting
20 you?

21 A. It was a -- a -- I'm not -- it was
22 a --

23 Q. Do you remember, ma'am?

24 A. Specifically raising your voice, I --
25 I -- I don't remember. But it was a conversation

1 where many people were involved and talking.

2 Q. And now, at the time, you mentioned
3 earlier in your testimony, you -- you believe that
4 the meeting and the conversation that's memorialized
5 here in Exhibit 13, you believe that those
6 interactions were -- I'm sorry -- you said race made
7 a difference in how your other Corizon employees
8 interacted with you; is that accurate?

9 MR. NUGENT: Object to the form.

10 You can answer.

11 A. Yes.

12 BY MR. MATULA:

13 Q. Okay. And now, did you feel that way
14 at the time, or have you come to that conclusion
15 later?

16 A. I can say that I felt that way at the
17 time, because that is a fact, it is evident, it is
18 known, and it's a -- it's a -- it's unfortunate, but
19 it's a fact.

20 Q. Well, I want to make sure I understand
21 your testimony.

22 A. Yeah.

23 Q. When you say that's a fact and it is
24 known --

25 A. Yes.

1 Q. -- what specifically is the "it" that
2 you're referring to?

3 A. That -- that race makes a difference
4 in the United States, in Kansas City, Missouri, in
5 Chillicothe, at the prison, in rural America.

6 Unfortunately, that's what I -- that
7 we deal with. It's not right. It's not fair. It's
8 not just. It doesn't take into account the effort
9 that I have put in to become educated, to become
10 trained, to give and to serve others. It takes none
11 of that into account. What it takes into account is
12 that I am African-American.

13 Q. Let's -- I want to keep a running list
14 here since we've gone to this topic. The -- if I
15 understand your testimony correctly, you are
16 believing that everybody on this list, from Epperson,
17 Corbin, Kirby and Hild, the other people in the
18 meeting and then those among them that were part of
19 the -- the follow-up meeting on the 27th, all of
20 those folks were, you believe, treating you
21 differently because of your race?

22 A. What --

23 Q. Is that accurate or inaccurate?

24 A. That was accurate.

25 Q. Okay. So --

1 A. And I say that -- and I say that
2 because embedded in our society, embedded in the
3 Caucasian culture in itself is unfortunately an
4 innate discriminatory racist superiority-type belief
5 that stems from however far back you would like to
6 go. And that doesn't mean --

7 Q. And that --

8 A. -- that doesn't mean that everyone is
9 particularly vengeful or hateful or -- or trying to
10 deliberately to hurt someone, but the thought process
11 and the culture is there. It's there.

12 Q. I want to make sure I understand, kind
13 of your frame of reference, and your thought process
14 in drawing these conclusions.

15 I mean, is -- are you telling me that
16 you believe that every Caucasian in the United States
17 is a racist?

18 MR. NUGENT: Object to form.
19 Misstates the witness' testimony.

20 A. I did not say that.

21 BY MR. MATULA:

22 Q. Okay. Well, I'm losing -- I mean, I'm
23 trying to understand like -- you're -- you're
24 explaining all of these things about the culture,
25 which I -- I get, kind of, but I'm trying to ask

1 about certain people in a particular situation.

2 A. Uh-huh.

3 Q. And you've already testified that you
4 believe that Epperson, Corbin, Hild, and Kirby, at
5 least in connection with this interaction, all were
6 treating you differently because you're
7 African-American. You testified to that.

8 Did I hear it correctly?

9 A. In this situation, that is correct.

10 Q. Right. And then we're kind of going
11 on that if it was a fact and whatnot --

12 A. Yeah, because --

13 MR. NUGENT: Let him -- let him finish
14 his question.

15 BY MR. MATULA:

16 Q. So I'm just trying to understand what
17 the "it" was of one thing that there being a
18 potential for having the racial discrimination in
19 America at large, and how you conclude -- and why you
20 conclude that various interactions in connection with
21 folks at Corizon or other places were in fact -- race
22 was a play in their motivation, that's what I'm just
23 trying to understand.

24 A. Okay. So, I'll see if I can help you.

25 Q. And -- yeah, and because what you said

1 before in terms of the culture and you said something
2 about not everyone is like deliberately trying to
3 hurt people, but I must have misunderstood, because
4 you were seeming to make some very broad statements
5 suggesting that it's a fact that in America,
6 Chillicothe, the prison system, that people are being
7 mistreated based on their race.

8 A. Uh-huh.

9 Q. And I'm just trying to figure out
10 where -- like, the parameters of that. Whether we
11 can -- does that apply to everybody, everybody in
12 American society, everybody in the prison, everybody
13 in Chillicothe, or -- or how you know it affects just
14 these people based on what happened here.

15 A. Okay.

16 Q. Does that make sense?

17 A. Yes, it does.

18 Q. All right. Tell me about that.

19 A. And so in answer to that question, I
20 would say that systemic racism exists. Okay?
21 Institutional racism exists. Consciously or
22 subconsciously it's there.

23 And unless you are the victim, unless
24 you are the target of that particular behavior, you
25 won't see it, you won't understand it. It's normal

1 for you because it's not something that you had to
2 deal with. It's not something that you had to battle
3 against or try and strive in the face of, or thrive
4 in the face of. It's not something you've had to
5 deal with, because what would make a person
6 automatically think that I'm going to become violent
7 if I raise my voice, but someone else can be violent
8 and they don't perceive it as violence. And the only
9 difference between she and I is the color of our
10 skin. So the only conclusion I can come to is that
11 because of who you are, you automatically have an
12 idea about who I am and that's based on what they
13 have been taught, what they see, and what they
14 believe to be true, and consciously or
15 subconsciously, and that's why we're -- we're -- I'm
16 -- I'm here today. That's why I'm here today.

17 You know, I can't say that, you know,
18 you -- you -- you called me any direct name at this
19 particular time, but you didn't have to verbally
20 express yourself to express yourself. Because your
21 actions speak as well as your words.

22 Q. But for the situation --

23 MS. JAG: Hey, Mike. I'm really sorry
24 to interrupt. Claudia just mentioned to me that she
25 actually can't hear anything. You have to let her

1 into the room. I think she can, like, see what's
2 going on, but she can't hear. She wanted me to
3 mention something to you.

4 MR. MATULA: All right. Okay. Thank
5 you.

6 BY MR. MATULA:

7 Q. Had -- had the situation at the other
8 meeting where Ms. Kirby had not thrown the pencil, if
9 you had not been aware of that situation, would you
10 have formed the same conclusion that the meeting on
11 the 27th was, I guess, race mattered, and -- and race
12 made a difference in how you were treated, if the
13 pencil incident hadn't occurred?

14 A. Sure. Absolutely.

15 Q. And -- and that's --

16 A. I wasn't the first person that's
17 raised their voice in a meeting.

18 Q. There was -- the only thing you told
19 me about before was the pencil throwing from
20 Ms. Kirby.

21 A. Uh-huh.

22 Q. So are there -- what other situations
23 specifically are you referring to? I mean, I need
24 the details, because they're not written down in any
25 paper that you've ever prepared. And so this is the

1 first time ever that I'm hearing about that.

2 A. Okay. And -- and just sort of to
3 speak to that. When I prepared this statement that
4 you are referring to, that statement was prepared to
5 go to the EEOC, to give them the incidents that --
6 that spoke out verbally. Okay? There are nonverbal
7 incidents as well, and I believe that --

8 Q. All right. Keep going.

9 A. -- and I believe that because of the
10 culture -- I'll go back to that once again. I will
11 go back to that once again. We can go back to the
12 incident with Ms. Barker when she was terminated.
13 Yes, she was terminated. You asked me what my
14 expectations were. Well, you know, really, you would
15 think -- you know, I don't know what expectations I
16 had at the time, but looking at it, you would think
17 that there would have been some type of reaching out
18 to me, implementing of a program, talking to the rest
19 of the staff, doing something to ensure that I wasn't
20 retaliated against, or that this behavior was
21 addressed and that -- that the employees knew how the
22 company felt about this, but it was just terminated.
23 That's it.

24 Q. And do you think that --

25 A. And so really what I believe happened

1 at that time after her termination is it actually
2 made my situation worse. It was like I was left on
3 a -- on a -- on a island, because they did not come
4 in and address the rest of the staff. They did not
5 come in and say, "Hey, we need to talk about this."

6 They didn't reach out to me.

7 Personally.

8 Q. Okay. Couple things --

9 MR. MATULA: Laurel, can you read back
10 my last question.

11 (Whereupon, the requested portion of the
12 record was read by the reporter as follows:
13 "QUESTION: The only thing you told me about
14 before was the pencil throwing from Ms. Kirby.
15 What other situations specifically are you
16 referring to? I need the details, because
17 they're not written down in any paper that
18 you've ever prepared. And so this is the
19 first time ever that I'm hearing about that.")

20 BY MR. MATULA:

21 Q. Can you answer that question, please?

22 A. So in addition to the pencil throwing?

23 We can -- we can go back to -- we can go back to
24 surveillance. We can go -- where would you like to
25 go?

1 We can go back to when we did CPR on
2 the custody officer that -- over in the treatment
3 area, and I was the first provider on the scene, and
4 initiated CPR, when it was all said and done, I'm
5 standing there with the other providers and
6 everyone's congratulating everyone but me. Why do
7 you think that occurred? That didn't occur because I
8 didn't participate. That didn't occur because I
9 wasn't there and couldn't be seen. There's something
10 underlying that. There's something underlying that.
11 And these are the types of behaviors that I dealt
12 with that were not necessarily verbally explicit, but
13 they were in the behavior and action that was
14 presented to me.

15 MR. NUGENT: Ms. LaBlance, I want to
16 make sure that we are being mindful of -- of the
17 question specifically.

18 And my understanding of the question
19 was to provide a list to Mr. Matula of other examples
20 related to things you two have been discussing.

21 If -- if my understanding of the
22 question is different, I apologize, but that's what
23 I'm hearing. And so I think he's looking for a list
24 of those things, things like the pencil incident
25 where you believe race was involved. So I've got a

1 couple, but I just want to make sure.

2 MR. MATULA: That's fine.

3 BY MR. MATULA:

4 Q. I've got CPR and surveillance. And
5 actually I'm going to switch subjects so we can keep
6 on track and we're going to come back to that.
7 Because I will -- we will not conclude the testimony
8 today until I have a completely exhaustive list of
9 everything that you say was, you know, racial
10 discrimination toward you. So you'll get the
11 opportunity to explain all that. I promise.

12 I am going to switch gears though,
13 because I want to get back on track on my planned
14 questioning, but before we do, going back to the --
15 your statement, which now you've said a couple
16 times you -- I think you said the purpose of this was
17 limited to catch the verbal incidents of racial
18 discrimination that you could identify for the EEOC,
19 is that -- did I understand your testimony right,
20 about how you were saying this identified verbal
21 incidents?

22 A. Maybe I -- I'm not sure I said that,
23 perhaps I did say that. I would -- I would say at
24 that time it was asked the specific incidents that I
25 could recall. I forget how he asked -- how it was

1 asked when I spoke with them.

2 Q. When you say "them," you're talking
3 about the EEOC investigator?

4 A. Yeah. Yes. Because I was asked to --
5 this is by no means an exhaustive list, let me start
6 by saying that.

7 Q. Well, see that's -- I want to get
8 clarification of this because we spent --

9 A. Uh-huh. Yes.

10 Q. -- considerable --

11 Please let me finish my question.

12 A. Uh-huh.

13 Q. We spent a considerable amount of
14 testimony at the outset of your testimony going
15 through this, and you talked about how you spent
16 upwards of a month and many hours, and you -- you got
17 in several times and you tried to be exhaustive and
18 the record will speak for itself.

19 A. Uh-huh.

20 Q. So what I just want to make sure if
21 you're wanting to clarify that earlier testimony, and
22 tell me that there was some type of filter or
23 limitations that you were employing when you decided
24 what to put in your charge versus those that you did
25 not bother to put in your charge, what were the

1 parameters?

2 A. Okay. Okay.

3 Q. What were the guidelines that you were
4 using as you put this pen to paper figuratively?

5 A. The way that I wrote this was to try
6 and paint a picture of a -- some incidents that
7 occurred that were examples of some of the things
8 that I experienced when I was there.

9 And to summarize that, to give a
10 picture of why I am saying this time that I spent I
11 encountered discrimination, and racism, and here are
12 some events that occurred while I was there. And try
13 to wrap that up in a nice little bow, so that folks
14 can say, "Oh, well, if this is like anything -- if
15 these are suggestive of what she was experiencing on
16 a daily basis, yeah, there was discrimination there."

17 Q. Okay.

18 A. "Yes, there was racial discrimination
19 there. Yes, there was retaliation. Yes, there was
20 harassment. Yes, it was there."

21 Now, you know, I mean when I say by no
22 means exhaustive, when you deal with something, you
23 know, five days out of the week, you know, 12 months
24 out of the year, some of the more subtle incidents
25 that occurred, that's what I was sort of sharing with

1 you earlier, because of the way things are,
2 unfortunately, oftentimes you just walk on.

3 Even this incident with Ms. Barker. I
4 left her presence and went to my office to not
5 further engage in that encounter.

6 Does that make sense?

7 Q. I don't think I fully understand
8 everything that you're trying to say, but we'll just
9 forge ahead.

10 With regard to going back to the --
11 your narrative. You -- you -- at the top of the
12 second page, Page 8 of 15, you refer to "a" second
13 incident?

14 A. Uh-huh.

15 Q. Do you see that?

16 A. Uh-huh.

17 Q. Okay. And that's this deal with the
18 lab tech and take the specimen sample and whatnot?

19 A. Uh-huh. Uh-huh.

20 Q. Okay. At least in your narrative that
21 you spent weeks preparing, the -- the initial
22 discrimination was the Barker deal, and now the
23 second one --

24 A. No, not the second. A second.

25 Q. Was -- can there be more than one

1 second?

2 A. Yeah, there can.

3 Q. How so?

4 A. Because there was probably something
5 that occurred in between, but the -- a second one
6 that I am sharing with you. That's what this is. A
7 second incident that I am sharing with you. I'm not
8 saying that there's, you know, nothing else that ever
9 occurred. And I think that where we're -- where
10 we're not understanding one another, is that I don't
11 believe in any way that this could be all inclusive
12 of every act that I -- or every discriminatory
13 incident that I could possibly cite while I was
14 there, because some of them, I may not recall. So
15 this is a second.

16 Q. I -- I will agree if you can't recall
17 it, then it's not going to be something you can write
18 down, I get it.

19 A. Uh-huh.

20 Q. But I'm just going by the words that
21 you choose to --

22 A. I know you are.

23 MR. NUGENT: Let him finish.

24 BY MR. MATULA:

25 Q. And you -- I've tried to do my best to

1 give you the courtesy to finish your answers, if you
2 can give me the courtesy --

3 A. No disrespect.

4 Q. -- I would appreciate it.

5 A. No disrespect.

6 Q. I'm just looking at the words that you
7 chose on the paper and the way it reads. I mean,
8 regardless of your intention --

9 A. Uh-huh.

10 Q. -- would you at least agree with me
11 that the way this reads, it is a reasonable reading
12 to suggest that what you -- as of the time of the
13 biohazard bag, that those had been the only two
14 situations of racial discrimination that you had
15 perceived as of that time?

16 MR. NUGENT: I'm going to object to
17 form. The document speaks for itself.

18 You can answer.

19 A. I -- I would say that that would be a
20 naive assumption.

21 BY MR. MATULA:

22 Q. Okay. All right. Let's talk about
23 this a little bit, then. With regard to the
24 situation and the biohazard bag. I want to get the
25 timeline correct, because your narrative says

1 January 15th. And I haven't seen paperwork that
2 relates to that, but if you look at -- let's pull out
3 15.

4 MR. MATULA: Can you find 15, Laurel.
5 That's 15, so I'm skipping one.

6 BY MR. MATULA:

7 Q. Exhibit 15 is several documents put
8 together and they're Bates Numbered Corizon 20
9 through 24, that I think all relate to this incident
10 you're describing and to orient you, if you look on
11 the last two pages, Corizon 23 and 24 --

12 A. Uh-huh.

13 Q. -- that's an email from you to
14 Sterling Ream, Karen Epperson, Jerry Lovelace, Jenny
15 Meehan and Valicia Kirby, where you say Employee
16 Discrimination.

17 And -- and you go on to describe an
18 incident where a lab tech took a specimen from her
19 work area and took it back to your desk and -- and
20 whatnot.

21 My question is, is the incident that
22 you were talking about in this exhibit on Pages 23
23 and 24, that's the same incident you're trying to
24 describe in the top of your narrative on Page 8 of
25 15; correct?

1 A. That is correct.

2 Q. Okay. So if we look at the date of
3 your email --

4 A. Uh-huh.

5 Q. -- that is June 6th?

6 A. Yes. And I'll just point --

7 Q. Let me just -- I'm just going to ask a
8 couple questions.

9 You say, "Once again today." So the
10 incident occurred on June 6th; right?

11 A. Uh-huh.

12 Q. So in terms of your narrative, just so
13 we're on the same page, literally, the -- instead of
14 January 15th, looking at this paperwork, can we agree
15 that was just a mismemory and June 6th would be the
16 more appropriate date to fill in?

17 A. You can use that date, but if I can
18 point out, that I said "once again," because this was
19 not the first time that she had behaved this way.
20 And so I -- yes. This was the second time.

21 Q. I'm just trying to get the dates
22 correct.

23 A. Okay.

24 Q. And the date what you're describing at
25 the top of Page 8 of 15 of Exhibit 1, says

1 January 15th, but when we're looking at the substance
2 of what you've written, that should be June 6th, and
3 I acknowledge that on June 6th you say there had been
4 a previous incident, are we on the same page?

5 A. Correct.

6 Q. Okay. All right. So -- and in fact
7 as I read through your email of June 6th, the way I
8 read it, there had been one previous incident with
9 this lab tech, and I am looking at the, I guess, on
10 the last page, Corizon 24, you write, "Ms. Ream is
11 aware of the past incident, similar in nature and can
12 attest to the apparent discrimination exhibited by
13 this Corizon employee."

14 Do you see where I'm looking at?

15 A. Yes, I do.

16 Q. Okay. So first, who is the lab tech,
17 let's put a name?

18 A. Her name is Judy Harkins.

19 Q. Okay. And is it -- I mean, first when
20 you say "Ms. Ream -- Ms. Ream is aware of the past
21 incident," meaning something before June 6th?

22 A. Correct.

23 Q. As of June 6th, you had two incidents
24 of a similar nature with Judy about how these
25 specimens and the requisitions were being handled;

1 correct?

2 A. Two blatant incidents regarding
3 specimens.

4 Q. Okay. I'm just saying that you chose
5 to say "the past incident," which is singular, so
6 I've got the past incident and the June 6th incident,
7 those are the only ones that at least you
8 memorialized; true?

9 A. Yes.

10 Q. Okay. All right. And --

11 A. But I do think that that indicates a
12 pattern of behavior.

13 Q. I -- I didn't ask you about that, but
14 I appreciate that.

15 A. Okay.

16 Q. What -- and I don't want to replot
17 ground, but now having clarified and corrected the
18 date of this situation with Judy, as being June, I
19 guess, I do have to ask you this:

20 If you felt that the meeting in which
21 you were confronted about raising your voice in
22 April, that we've discussed, if you felt that that
23 was some type of race discrimination, or race had
24 made a difference in April, why did you not
25 memorialize that or refer to that meeting as -- as

1 your belief it was somehow racial in your EEOC
2 discrimination complaint?

3 A. I don't -- I can't answer that --
4 I....

5 Q. All right. Well, then we'll move on
6 to --

7 A. It was not intentional.

8 Q. We'll move on. Let's talk about the
9 lab incident and this business of what was going on
10 with Judy.

11 Tell -- first tell me what the -- what
12 the -- I guess, what is the process, or describe for
13 me kind of what is going on at Corizon with your
14 interaction with Judy or any other lab techs.

15 A. Okay. Judy is the only lab tech -- or
16 was the only lab tech there. So any -- on this
17 particular occasion, I had a -- I believe it was a
18 tissue biopsy that I had taken from a patient that
19 needed to be processed for possible malignancy. I
20 filled out the container, I did the biopsy, you know,
21 sutured it. Put it in the formalin, put the
22 patient's information on it, put it in a bag and I
23 took it to her office and sat it in front of the
24 refrigerator.

25 I didn't have the requisitions -- I

1 don't believe I had a requisition, and so she's the
2 lab person. So she comes in, she draws the blood,
3 she fills out the requisitions, all of the lab
4 equipment is in her office. And --

5 Q. Okay. And I apologize for
6 interrupting, but to keep up with you, I need to slow
7 you down so I just understand the process. Because
8 you're using some terminology that I -- I want to
9 make sure I understand.

10 A. Okay.

11 Q. Okay?

12 A. Okay.

13 Q. And so when -- for example, maybe
14 taking a step back out from the specific incident,
15 but just how the situations come up generically or
16 generally.

17 When you say "requisitions," what do
18 you mean by a requisition?

19 A. The requisition is a form that is
20 completed that actually -- that goes to the lab that
21 tells them what test I'm ordering on the specimen.

22 Q. Okay. And --

23 A. Gives the patient information, the
24 date, the time, the site, where the specimen came
25 from, what type of specimen it is, and what tests I'm

1 requesting be ran on the specimen.

2 Q. All right. Okay. And so as I
3 understand the process is a patient comes in, has --
4 it's identified that they need something that is
5 going to involve lab work being done; correct?

6 A. Uh-huh. Uh-huh.

7 Q. The practitioner would do whatever
8 procedure necessary to get the sample, so to speak,
9 whether it's a biopsy -- I don't know what else you
10 might have -- I'm assuming maybe urine sample,
11 something?

12 A. Uh-huh.

13 Q. Right? Is that correct?

14 A. Uh-huh.

15 MR. NUGENT: "Yes"?

16 A. Oh. Yes. I'm saying "uh-huh,"
17 because there are some specimens that I can order
18 that nursing will obtain, so, say, I say I want a
19 patient to have a particular test, that patient would
20 be put on a schedule, called up at a later date to
21 have that specimen collected. They would fill out
22 the requisition -- they would take the specimen to
23 the lab, the lab person would process it, fill out
24 the requisition and prepare it to be sent to
25 processing.

1 BY MR. MATULA:

2 Q. So sometimes, depending on the nature
3 of the medical need, you could have a situation where
4 the provider is in a position to obtain the -- the
5 sample right there at the time of the visit?

6 A. Correct.

7 Q. And there are other times where the
8 provider may give some sort of direction that the
9 sample is going to be obtained at a -- at a different
10 time, have the nurse do it, provider's not involved;
11 is that --

12 A. Correct.

13 Q. And it just depends on the nature of
14 the -- the medical need?

15 A. Yes.

16 Q. So sometimes these specimens are, as
17 what sounds like was the case involving this one,
18 specimens obtained right there while the provider is
19 with the -- the patient?

20 A. Correct.

21 Q. And then it's kind of pushed
22 downstream towards the lab?

23 A. Correct.

24 Q. And after this -- after the specimen
25 is obtained, there's information that needs to go

1 with it as it heads towards the lab?

2 A. Correct.

3 Q. And so now where does the requisition
4 come into play? Where -- and sticking with the
5 example of a sample being taken by a provider at the
6 time of the visit.

7 Are you with me?

8 A. Yes.

9 Q. Okay. So where does the requisition
10 come into play, then?

11 A. The requisition must be completed to
12 be sent with the -- the specimen for processing.

13 Q. And is it the -- and are these
14 requisitions, are these things that are a handwritten
15 document on a form, is it something that's typed in
16 the computer? What -- what physically creates the
17 requisition?

18 A. Well, there's a -- a form that has a
19 carbon copy, and it just needs to be -- it's -- put
20 the patient's name, date of birth, date and time, and
21 check the box of the specimen site, and -- you know,
22 because it would say for pathology, or cytology, or
23 hematology. That kind of thing. So this is a
24 pathological specimen, I want pathology on it, so
25 that box would be checked. Uh-huh.

1 Q. So there's definitely a hard copy
2 paper of --

3 A. Yes. Yes. And then I'm not sure
4 what -- I'm not aware of what -- how she processes
5 it -- processes it after that.

6 Q. Okay. All right. And -- and how long
7 had Judy been working there? Had she been onboard
8 since you joined or did she start her employment
9 after you started?

10 A. She had -- she was there when I
11 joined.

12 Q. And so tell me -- okay. Tell me the
13 situation again, like you've drawn -- it's a sample
14 like this one where you've drawn the sample right
15 there at the visit, you've gotten the container, or
16 whatever's physically going to go to the lab, and we
17 need some additional paperwork filled out to go with
18 the sample so the lab people can do the right thing.

19 A. Uh-huh. Uh-huh.

20 Q. Okay. In a situation where the sample
21 is -- is not going to be taken at the time, like
22 you're just giving direction, hey, so-and-so needs to
23 come back in a day or week or whatever and take, I
24 don't know, a urine test or some other thing, some
25 other sample. I'm not going to do it right now at

1 this visit, but we're going to set you up.

2 What directions or paperwork or how
3 does -- how does whoever's going to take that sample
4 at a later date know what to do?

5 A. I order the test in my plan of care at
6 the time of the visit. So this is my plan. Okay.
7 So this is what the patient came in for, and what I
8 would like to do, is my plan, and so I would like to
9 get the urine, I would like to get, you know, some
10 blood work and I'd like to see you back in two weeks.
11 And I'm going to start her on this medication or that
12 medication.

13 And that -- then they print that off
14 at the end of the night, it goes to the secretary and
15 she puts the person on the schedule --

16 Q. To come back in --

17 A. -- at a later day.

18 Q. -- and have blood drawn or urine
19 taken --

20 A. Yes.

21 Q. -- or whatever that you've put in your
22 plan of care?

23 A. Correct.

24 Q. All right.

25 A. In that situation.

1 Q. So that's -- so that's kind of -- it
2 gets documented in the plan of care and goes through
3 the process.

4 Okay. Going back to the situation
5 where the sample is taken during the visit. How does
6 that differ if at all when you were right there to
7 take the sample?

8 A. Okay. So I'll start by saying that I
9 typically don't do procedures the first time that I'm
10 seeing the patient. I've done an exam, I've seen
11 something that needs to be further investigated. I
12 schedule -- I talk to the patient, I schedule them to
13 come back.

14 So in my plan on that first visit, I
15 say, I'm going to bring them back, and this is what
16 I'm going to do. I'm going to do this procedure to
17 retrieve this specimen. Okay? That's in my plan.
18 So the patient then will go on a schedule, on my
19 schedule, to come back to do this procedure to obtain
20 this specimen. I do the procedure, I fill out the --
21 on the formalin containers, which formalin is a -- is
22 a preservative, that is used to preserve tissue to
23 send to the lab to be evaluated. Okay? The
24 information, the patient's name, date, date of birth,
25 site of specimen and what you're looking -- what

1 you're sending it for all goes on the label that goes
2 on the specimen.

3 Q. Okay. Let me stop you there. So how
4 is the label different than the requisition in this
5 situation?

6 A. The requisition is -- it goes with the
7 specimen, there's a sticker that identifies the
8 number, it has a number that identifies the
9 requisition, you take the sticker and you put it on
10 the specimen, you put the patient's name on the
11 requisition, and so that you have two different
12 things that should match when it gets to the lab. So
13 I can identify this by name. I can identify this by
14 number, requisition number.

15 Q. All right. So let's go back to Judy
16 and June 6, 2018. What was the -- I've read the
17 narrative, but I guess you had obtained the biopsy,
18 got it in the container, left it by Judy's work area,
19 then she comes back and brings it back to you?

20 A. Well, actually she was there when I
21 took it, and I sat it by the refrigerator that's next
22 to her desk that the specimens go in. And I left it
23 there because it needs a requisition, and it needs to
24 be put wherever she puts things that she takes up to
25 the front to be taken to the lab. That's what I did.

1 Which is the way things are done when they come in
2 for an appointment with the nurses to obtain a urine
3 or something of that nature. They collect the urine,
4 they put the information on the container, they put
5 in it a bag, you take it to the lab, the lab person
6 handles the rest of it.

7 Q. Okay. So you put it in the
8 refrigerator near the lab, and so Judy comes back
9 and --

10 A. No, Judy was there.

11 Q. I guess I'm trying to walk through it.
12 Okay.

13 You happened to be available to
14 retrieve the specimen from the patient, then you took
15 it to the lab tech to be processed for evaluation;
16 true?

17 A. Uh-huh.

18 Q. Lab tech refused to complete the
19 requisition --

20 A. Uh-huh.

21 Q. -- and took the specimen to your -- to
22 your office and sat at your desk and said, "I told
23 you not to sit that on my desk."

24 Okay. And that was -- you're saying
25 that's inaccurate. It wasn't on her desk, it was on

1 the counter in front of the specimen refrigerator
2 area?

3 A. Uh-huh.

4 Q. And you sat down and she picked it up
5 and attempted to hand it back to you?

6 A. Uh-huh. I --

7 Q. And then you told her, "No, you need
8 to fill out the requisition and prepare the specimen
9 for processing"?

10 A. Uh-huh.

11 Q. And then she walked out of the lab
12 passed you, directly to your office, and refused your
13 direction?

14 A. Yes, she did.

15 Q. Did she say anything at -- at --
16 during that, because it's not in your email if she
17 did?

18 A. I -- she -- I don't recall
19 specifically.

20 Q. Okay. How many -- and you've
21 mentioned the one incident previously with her,
22 similar deal. At this --

23 Right?

24 A. Yes.

25 Q. You and Judy had been working together

1 for about a year as of this time; right? June to
2 June?

3 A. Uh-huh.

4 Q. How many total times had there been a
5 situation where you had, you know, left something or
6 given direction for Judy to do the requisition where
7 there was no problem?

8 A. I don't know.

9 Q. To make sure -- I'm just trying to get
10 an idea of how common this comes up. And we've got
11 two situations where she didn't do what you've told
12 her to do, and I'm trying to think of how many times
13 were there situations where it wasn't an issue. Can
14 you give us any ballpark about how many times Judy
15 just did what you wanted?

16 A. What I will say, is typically because
17 of the nature of the exams that I performed, I had
18 someone that I had trained, so you know, whoever that
19 was, that would come in and help me to process those
20 specimens at that time. So say I'm doing Pap
21 smears -- okay? The person that is assisting me, may
22 fill out the requisition and take 'em. Not a
23 problem.

24 So I don't know -- or I don't recall
25 how many times I had actually asked her in the past

1 to process something that she refused to process.
2 However, I do know of one other such occasion for
3 sure.

4 Q. I'm just trying to make sure I
5 understand your testimony. You had been working with
6 Judy a year, and I understand given the nature of
7 some of the procedures, there was somebody else, not
8 Judy, was with you.

9 But I mean, you're not telling the
10 jury in this case, that there were no other times
11 where Judy just did what you expected her to do;
12 right?

13 I mean, there were times where she was
14 there, you asked her to do the requisition and there
15 was no problem, there are at least some occasions of
16 that; true?

17 A. I would guess so.

18 Q. Well, I would guess so too if you had
19 been working there a year, but you were there, not
20 me. So I'm just trying to see what you can -- can
21 say.

22 A. I would assume so.

23 Q. Okay.

24 A. But I don't know. There were --

25 Q. If there were --

1 A. There was -- there was no other
2 occasion that she acted like this.

3 Q. Sure.

4 A. Specifically. Other than that one
5 other occasion.

6 Q. Right. We know we have two problem
7 incidents, I'm just trying to get an idea if there's
8 any way to kind of figure it out how many would be in
9 the nonproblem incident situation. And it sounds
10 like you just can't say, other than there had to be
11 some since you'd been working there a year together;
12 fair?

13 A. I said there were two that were
14 blatant. Two that were blatant, where she
15 blatantly --

16 Q. I under- -- I understand that --

17 A. Oh. Okay.

18 Q. -- we definitely have two, I get it.

19 A. Okay.

20 Q. There were two where Judy did
21 something that you didn't think was right.

22 A. Okay. It wasn't right. It's not that
23 I didn't think it was right [sic].

24 Q. Hold on. All right. Okay.

25 So, now, moving on from what happened

1 with Judy on June 6th and what happened thereafter.
2 What -- I guess what became of your email complaint
3 about Judy and not doing the requisition?

4 A. Essentially, nothing.

5 Q. Well, did anyone ever talk to you
6 about the situation?

7 A. I made a complaint a couple of weeks
8 later, a week to two later, Jenny Meehan came to my
9 office.

10 She said, "We finished our
11 investigation, and we have found this to be a
12 misunderstanding."

13 And I -- that's all I've heard. I
14 wasn't interviewed. I wasn't asked. I wasn't part
15 of the investigation. Did not know there was an
16 investigation. And I was later told that it was a
17 misunderstanding.

18 Q. What -- now, when Ms. -- when
19 Ms. Meehan came back to you and said we've finished
20 this investigation, and we looked into it, we think
21 there's a misunderstanding not discrimination, was
22 she on the phone or was she there with you in person?

23 A. She came to my office. She happened
24 to be onsite that day.

25 Q. And so -- and do you know if

1 Ms. Meehan had been physically onsite in Chillicothe
2 any days between the time you made your complaint and
3 the time she came to meet with you in person?

4 A. I don't recall.

5 Q. Okay. Sitting here today, as far as
6 you know, the date when Ms. Meehan came and -- and
7 met with you in person, that might have been the
8 first time that she was physically in Chillicothe
9 since you made the complaint?

10 A. I don't recall.

11 Q. As far as you --

12 A. I don't know.

13 Q. Maybe, maybe not?

14 A. Maybe, maybe not.

15 Q. Okay. But in any event, she now is
16 physically in person with you, and she shares this
17 information. I guess, how long -- how long did this
18 meeting last?

19 A. Two minutes. Minute and a half.

20 Q. And what did you say in response?

21 A. I --

22 Q. Do -- do you remember?

23 A. No.

24 Q. You were not satisfied with what she
25 had told you; correct?

1 MR. NUGENT: Object to form.

2 You can answer.

3 A. No, I was not satisfied with what she
4 had told me.

5 BY MR. MATULA:

6 Q. All right. And why not?

7 A. Because that behavior was not a
8 misunderstanding. It was a blatant insubordinate
9 act, for whatever reason, only one reason I can come
10 up with, and that's because the only difference
11 between me and the other providers is that I'm black.
12 I'm African-American. And I had actually gone to the
13 other two providers --

14 Q. Being who?

15 A. Meaning Epperson and Kirby, and I went
16 to one of the nurses that work in the sick call area,
17 I can't remember which one it was, and I asked them
18 about -- I asked all of these people, do they ever
19 have any problems getting her to process specimens,
20 and all of them told me no, they never have any
21 problems getting her to process specimens. The only
22 person that had problems getting her to process
23 specimens, which was part of her job, was me.

24 Q. Gotcha. All right.

25 A. And so I was not satisfied.

1 Q. Fair enough. Did you tell Epperson,
2 Kirby, or the sick call nurse, or anyone other than
3 the -- the people in your email complaint that you
4 believed Judy was acting differently towards you
5 because you were African-American?

6 A. I don't think anyone outside of the
7 people you just mentioned.

8 Q. Okay. Well, the people I mentioned,
9 either the people I mentioned on the email list or
10 the -- the -- well, I guess hold on a second. Kirby.
11 Wait.

12 Let me -- you do have Kirby.

13 A. Lovelace.

14 Q. I guess the only other person would be
15 the sick call nurse, that's the only other person you
16 checked with to get -- to see their experiences. Got
17 it. Okay. All right.

18 Did you --

19 A. I shared this with all of these people
20 on this email here.

21 Q. Okay. Did you ever talk to Karen
22 Epperson or Val Kirby about what information they
23 told Jenny Meehan about the situation?

24 A. No.

25 Q. Did you -- did you ever have a

1 conversation or a communication with Epperson or
2 Kirby, either confirming whether or not they were
3 even talked to or not?

4 A. No.

5 Q. Sitting here today, is it true that
6 you don't know whether Jenny Meehan spoke with Kirby,
7 Epperson or anyone else in response to your
8 complaint?

9 A. That is correct.

10 Q. You would have -- I assume you would
11 have expected that she would have also checked in
12 with the other providers to kind of see how their
13 experience -- or what they had to say about their
14 experience with Judy and how it compared to yours?

15 MR. NUGENT: Object to -- object to
16 form.

17 You can answer.

18 A. Yes, and she didn't check in with me
19 during the investigation either.

20 BY MR. MATULA:

21 Q. Well, I mean, she did have your email,
22 right, so she knew some information about where you
23 were coming from; true?

24 MR. NUGENT: Object to form.

25 A. She did an investigation and I wasn't

1 part of it.

2 BY MR. MATULA:

3 Q. Well, you -- ma'am -- ma'am, you were
4 at least in --

5 A. I was the complainant. I apologize.
6 That's a bad habit of mine. Go ahead.

7 Q. You were at least a part of it,
8 because you wrote this email that -- to them to --
9 that kind of got it started, right, so you at least
10 that part of that; true?

11 A. I was part of the complaint, not the
12 investigation.

13 Q. Okay. Okay. Sitting here today, can
14 you tell me what information you would have provided
15 to Ms. Meehan or anyone else in this investigation if
16 you had been included, that is not in your email?

17 MR. NUGENT: Object to form.

18 A. Can you please repeat the question?

19 MR. MATULA: Laurel, could you read
20 that one back, please?

21 (Whereupon, the requested portion of the
22 record was read by the reporter as follows:

23 "QUESTION: Sitting here today, can you tell me
24 what information you would have provided to
25 Ms. Meehan or anyone else in this

1 investigation if you had been involved that is
2 not in your email?")

3 A. No, I can't, I wasn't involved.

4 MR. MATULA: All right.

5 BY MR. MATULA:

6 Q. And was there any specific information
7 that you felt Ms. Meehan should consider beyond what
8 was in your email here that you were thinking of but
9 did not share with her when she met with you in
10 person?

11 MR. NUGENT: Object to form.

12 A. Those were two separate incidents, two
13 separate encounters, I believe, is what you're
14 asking.

15 BY MR. MATULA:

16 Q. Well, I'm just trying to -- you keep
17 saying you weren't involved in the investigation and
18 -- and I guess I am inartfully asking questions.

19 I don't know -- if you had been
20 involved in the investigation, what other information
21 do you think you would have shared that might have
22 made a difference on how things would have come out?

23 Is there something else that you think
24 Ms. Meehan or someone else needed to know that you
25 didn't -- that you never shared with her?

1 A. I believe --

2 MR. NUGENT: Hang on. That's the
3 reason for the objection, Counsel, is that you're
4 asking her to speculate.

5 MR. MATULA: I -- then she can say
6 that. But if -- if there's -- I just -- if that's
7 her answer: I don't know what it might have been.
8 That's a fair answer.

9 But if she's saying, Hey, I was
10 excluded from the investigation and so the
11 investigators didn't get all the necessary or
12 important information that they should have gotten, I
13 want to know what that is.

14 A. Well, I believe a thorough
15 investigation would have involved speaking with me as
16 well. Whether I can specifically tell you right at
17 this time if there was something particular that I
18 would have included in addition to what I -- I put in
19 the email, I cannot say. However, speaking with me
20 personally would have probably given someone a better
21 idea of what actually occurred in addition to the --
22 the statement that I made, and failure to include me
23 in the investigation, I think is just negligent.

24 BY MR. MATULA:

25 Q. Okay. But there's not something

1 specific -- piece of information that you can
2 identify for me right now that you would have shared
3 to Ms. Meehan or in the investigation had you been
4 interviewed?

5 A. I don't know.

6 Q. All right. If you can look at the --
7 Page -- it's Corizon Page 22, it's Page -- it's got a
8 Bates Number label right under that of Page 3 --
9 where it's Ms. Meehan's email to Heather Dale and --
10 and various other people.

11 A. Yes.

12 Q. And she is saying, "I have discussed
13 this with Ms. LaBlance, Judy Harkins, and the two
14 other two providers at the site."

15 She said, "I don't believe this to be
16 a discrimination issue. I believe this is a
17 communication issue between the two employees?"

18 Going on, Ms. Meehan writes, "When lab
19 orders are entered into the provider plan, the orders
20 are given to the lab tech and she completes these
21 requisitions." Now, that, based on what you told me
22 before, is accurate, is it not?

23 A. Yeah. Yeah, for the most part.
24 Meaning that if they come up on a lab schedule --
25 because if I order a lab, the lab goes -- the order

1 goes on to the lab schedule. The patient is called
2 up, the specimen is obtained, I don't have to be a
3 part of that situation.

4 Q. Correct. And that -- we discussed
5 that ten minutes ago when you were describing the
6 processes; right?

7 A. Okay.

8 Q. I mean, that's -- that's the same
9 thing. That's why I said --

10 A. I just want to make sure we're saying
11 the same thing.

12 Q. Okay. So the first sentence of that
13 second paragraph, that's accurate? The second
14 sentence, Ms. Meehan writes, "The issue at hand has
15 occurred when the provider is seeing a patient in
16 their office and conducts a test at the time of the
17 visit."

18 Do you see that?

19 A. Yes I do.

20 Q. And at least with regard to the
21 June 6th situation, that was such a situation because
22 you were seeing a patient in the office and you did
23 the test to get the specimen at the time of the
24 visit; true?

25 A. Correct.

1 Q. Okay. Ms. Meehan says, "These
2 requisitions" -- referring to that situation -- "are
3 to be completed by the provider because they are the
4 ones with the information for the test; location/test
5 to be run."

6 Now, is that accurate or inaccurate?
7 That third sentence.

8 A. Just like when I ordered the -- any
9 other tests, the information is in the order and if
10 this is what she has said, I have not seen this
11 email. This email did not come to me. It says
12 here --

13 Q. All right. I want to look at what it
14 says --

15 A. Yeah.

16 Q. -- and I want you to tell me
17 whether --

18 A. Yeah, I -- I -- I -- that's what she
19 said.

20 Q. Okay.

21 A. But that's -- you know, I mean -- I
22 have not seen this.

23 Q. Well, I mean --

24 A. It wasn't sent to me.

25 Q. Regardless of whether this was sent to

1 you or not, the -- it is true that the provider in
2 that situation or the -- the -- where the provider is
3 seeing a patient in their office, the provider has
4 the information for the test, the location and the
5 test to be run. That's true?

6 A. Correct. That's true.

7 Q. All right. And so --

8 A. On every test that I order.

9 Q. Now, Ms. Meehan goes on to say that
10 she reviewed about a four-inch stack of lab
11 requisitions, and most of them were completed by the
12 lab tech.

13 Do you see that?

14 A. Uh-huh.

15 Q. And -- and from your perspective,
16 that's what you would expect because of the process,
17 you expect the lab tech to do the requisition?

18 A. Correct.

19 Q. Now, she goes on to say, "There were
20 instances I found requisitions which were complete by
21 the provider; all three site providers including
22 Ms. LaBlance."

23 Now, I -- I'm not going to ask you
24 whether that's accurate or not, because you have no
25 way of knowing what she did or didn't do.

1 A. Uh-huh.

2 Q. But if I understood your earlier
3 testimony, it was your impression from talking to the
4 other providers that there would not be any
5 requisitions whatsoever that were completed by the
6 provider because they all should have been done by
7 the lab techs?

8 MR. NUGENT: Object to form.

9 BY MR. MATULA:

10 Q. Am I -- is that right?

11 A. That there shouldn't have been any
12 requisitions --

13 Q. Completed by providers.

14 A. I -- I would say not necessarily --
15 that's not necessarily a true statement. If your
16 schedule is -- if my schedule's not -- it's not part
17 of -- we have a lab technician to do those things,
18 and so maybe perhaps on days that she was not there,
19 those days were -- did happen. There were -- she
20 usually went home -- her schedule was different than
21 ours, so she may not be in the lab, during those
22 times you may -- you may need to fill out the
23 requisitions yourself, because no one is there.

24 Q. Okay. Were there times where you
25 yourself completed requisitions?

1 A. Sure. And I don't think that that
2 takes into account the entire situation, because it
3 wasn't just about the requisition, it was about the
4 fact that she refused to do the requisition after a
5 directive was given. And not only did she refuse to
6 do it, she took the specimen, stormed past me and
7 went and put it on my desk.

8 MR. MATULA: And I object to the
9 answer as being nonresponsive after the word "sure."
10 BY MR. MATULA:

11 Q. The next sentence in the email,
12 Ms. Meehan writes, "I will be having Dr. Epperson
13 speak with me" -- excuse me. Let me start over. I
14 misread. New question.

15 "I will be having Dr. Epperson with me
16 to speak with Ms. LaBlance about the requisitions and
17 the expectations. I will encourage productive
18 communication between the two employees."

19 Do you see that?

20 A. Yes.

21 Q. Did that ever happen?

22 A. No.

23 Q. All right. Going on to the -- one
24 page earlier, which is Corizon 21. And then this is
25 -- we've got an email from Jenny Meehan furthering

1 the chain, where she says, "I have spoken with Terri.
2 I do not believe she is satisfied with my
3 investigation."

4 So she -- she did also get the
5 perception that you were not satisfied, it appears.

6 Question. The next sentence she
7 writes, "I explained to her I spoke with the lab tech
8 and the other providers and reviewed about a five to
9 six-inch stack of requisitions."

10 You know, is -- is that -- is what she
11 wrote there true, did she explain to you that she
12 spoke with the lab tech and other providers and
13 reviewed a stack of documents, requisitions?

14 A. She told me she had completed her
15 investigation.

16 Q. So is it your testimony that
17 Ms. Meehan did not tell you specifically that she had
18 talked to other providers or looked at requisitions?

19 A. I don't remember her telling me that
20 specifically.

21 Q. All right. And -- and certainly we
22 are talking about something that occurred more than
23 two years ago now.

24 A. Okay.

25 Q. But so that I understand the

1 confidence of your testimony, it could be one of two
2 things: I don't remember that happening versus oh, I
3 know for sure that did not happen. And -- because I
4 will tell you consistent with this email, I expect
5 Jenny Meehan to testify consistently with this email
6 and I need to know whether you're going to say, no,
7 she is wrong or you're saying, I don't think that
8 happened, but I can't be a hundred percent sure?

9 MR. NUGENT: Object to form.
10 Argumentative.

11 You can answer.

12 A. I don't remember that specifically
13 happening.

14 BY MR. MATULA:

15 Q. It may or may not have happened, you
16 just don't remember specifically; is that fair?

17 A. I don't remember that specifically
18 happening.

19 Q. All right. She goes on to the next
20 sentence, "I explained to her I believe the situation
21 is a communication issue between Terri and the lab
22 tech not a discrimination issue."

23 Now, I think from your earlier
24 testimony you do remember that part being said?

25 A. She said it was a misunderstanding.

1 Q. Misunderstanding, all right.

2 The next sentence, "I offered Terri to
3 have the two of them to sit down and discuss the
4 situation and Terri declined."

5 Did that happen?

6 A. That is correct.

7 Q. Okay. So you do remember Ms. Meehan
8 offering to try to get you and Judy together to -- in
9 the same room to talk about the situation, but you
10 declined; fair?

11 A. Yes, I did.

12 Q. Okay. All right.

13 A. And I made that decision because this
14 was not the first time this had -- had occurred and
15 there was no misunderstanding if her job is to
16 process lab specimens. She's in the lab, her job is
17 to process lab specimens. I'm the provider, I gave
18 her a directive, she blatantly ignored that, refused
19 to do it, and went a step further and to put the
20 specimen on my desk as a form of disrespect. So it
21 was -- there was nothing to be talked about.

22 Q. You felt that was the best way to try
23 to resolve that workplace dispute with the lab tech,
24 was that you were sure you were right, and so you
25 were not going to even meet with her to discuss it?

1 MR. NUGENT: Object to form.

2 A. It was a miscommunication, she said,
3 and so this had happened before. They were aware
4 that this had happened before. It was not a
5 miscommunication, and if that's what they chose to
6 call it, what am I going to discuss.

7 BY MR. MATULA:

8 Q. You were so confident that this is
9 actually race discrimination, that you weren't going
10 to meet with the lab tech, because you knew what was
11 really going on. That's why you declined the
12 meeting; right?

13 A. Those are your words, not mine.

14 Q. Well, I'm -- I'm still not
15 understanding why when Ms. Meehan offered to have a
16 meeting between you and the lab tech to address this
17 issue, why you would not have accepted that meeting.
18 Do you have anything else further to say on that?

19 A. I'll reiterate again: This was not
20 the first time that this had occurred. It happened
21 before. Her job as the lab technician, it is her job
22 to process specimens, that's what they pay her for.

23 She chose to defy a directive that I
24 gave her. She was insubordinate. It was not a
25 misunderstanding. It was a blatant act of

1 disrespect. And that was solidified or galvanized
2 when she stormed past me and put the specimen on my
3 desk.

4 Q. Sitting here today, do you know what
5 Judy's side of the story is?

6 A. Do I know what Judy's side of the
7 story is? I don't remember if that was shared with
8 me.

9 Q. Continuing on with Ms. Meehan's email,
10 she wrote, "I told her" -- meaning you -- "I told her
11 if there are any further incidents she believes to be
12 discriminatory to let me know, she agreed she would."

13 Now, did that happen in your meeting
14 with Ms. Meehan or not?

15 A. I don't remember her saying that
16 specifically.

17 Q. Are you -- are you confident that it
18 did not or do you just, like, I don't remember it, so
19 I can't say "yes" or "no."

20 A. I remember being a little
21 disenchanted, disheartened when she said to me that
22 her investigation was complete and it was a
23 misunderstanding. And knowing that she had not
24 interviewed me, how could that be. And so I don't
25 remember her saying that.

1 MR. MATULA: How long have we been
2 going?

3 THE VIDEOGRAPHER: Hour and twenty.

4 MR. MATULA: Let's take a break.

5 THE VIDEOGRAPHER: We'll go off the
6 record at 2:12 p.m.

7 (Brief recess taken.)

8 THE VIDEOGRAPHER: Stand by.

9 We are back on the record at 2:23 p.m.

10 BY MR. MATULA:

11 Q. Ma'am, continuing to walk through your
12 discrimination complaint. The -- the second page,
13 the next section that starts, "As the Women's Health
14 Nurse Practitioner." Let me know when you're there.
15 Take your time.

16 A. On which page?

17 Q. It's 8 of 15, within Exhibit 1.

18 A. Okay.

19 Q. On that second full paragraph, you're
20 -- you're talking about people who would be assisting
21 you during examinations; correct?

22 A. Yes.

23 Q. And it looks like sometimes when
24 there's staffing shortages, there weren't -- exams
25 would be regularly scheduled and there's no staff to

1 assist. But when staff became available, "I was
2 provided non-nursing, untrained, administrative
3 personnel to assist with medical exams."

4 MR. NUGENT: Mike, where are you?

5 MR. MATULA: I'm sorry. I'm on --
6 it's the -- if you go to the middle of the page, the
7 second paragraph, starting about -- a little bit
8 higher, about three lines up. Like the third line of
9 the second paragraph.

10 MR. NUGENT: "When staff did"?

11 MR. MATULA: "When staff did become
12 available I was provided non-nursing, untrained,
13 administrative personnel to assist with medical
14 exams."

15 BY MR. MATULA:

16 Q. Do you see that, ma'am?

17 A. Yes, I do.

18 Q. Okay.

19 MS. JAG: What was the Bates Number of
20 that? I'm sorry.

21 MR. MATULA: It's -- it's -- it's in
22 Exhibit 1. It's still in the -- the -- Page 8 of 15.
23 It's the second page of the EEOC discrimination
24 complaint narrative that we've been using.

25 MS. JAG: Okay. Gotcha. Thank you.

1 BY MR. MATULA:

2 Q. All right. My first question, in
3 terms of -- when you say "I was provided
4 administrative personnel," who decided that? In
5 situations where there -- who would have decided who
6 was going to assist you?

7 A. That would be the site administrator,
8 because she also handles the staffing.

9 Q. So remind me who that was?

10 A. When I first began it was Teresa
11 McWhorter and later it became Sterling Ream.

12 Q. Now, if -- the way I'm reading this,
13 and you certainly can correct me. It sounds like in
14 these situations where you have the administrative
15 personnel who because of staffing issues or whatnot
16 had to serve as your assistant for these women's
17 exams that they behaved in ways that you did not
18 think was appropriate in terms of interjecting,
19 interrupting, explaining the diagnosis and other
20 things that you have here. Is that kind of the gist
21 of the problem that you're trying to express in this
22 document? Or this portion of the document?

23 A. This portion of the document. Yes.

24 Q. And if I understand -- if I'm reading
25 this correctly, the idea is like you believe that you

1 -- that these same administrative personnel did not
2 act the same way when they were assisting other
3 providers?

4 A. That is correct.

5 Q. Okay. And it looks like you talk
6 about -- it sounds like maybe you ask the physician
7 and nurse practitioner, and you question about them,
8 so you kind of wanted to ask someone, Hey, what's
9 your experience with these -- these folks when
10 they're helping you out, and -- and is that kind of
11 what you're saying there?

12 A. Uh-huh.

13 Q. And first, the physician and nurse
14 practitioner, I think I know who you're referring to,
15 but let's put names to these titles.

16 Physician, is that Epperson?

17 A. Yes.

18 Q. Nurse practitioner?

19 A. Kirby.

20 Q. Okay. And so you're -- you're saying,
21 Hey, when you talk to Epperson and Kirby about this,
22 they said, "No, those people don't act the same way
23 when they're helping us out with our exams"?

24 A. That's what it's saying.

25 Q. Can you give me the names of the -- of

1 the people here, the assistants -- the administrative
2 assistants who you felt were interrupting,
3 explaining, interjecting, all those sorts of things
4 when they were helping you?

5 A. Barker was one and then there --

6 MR. NUGENT: I'm sorry. I missed
7 that.

8 THE WITNESS: Huh?

9 MR. NUGENT: Who was that?

10 THE WITNESS: Who was assisting?

11 MR. NUGENT: Yeah. What was the name
12 you said?

13 THE WITNESS: Barker.

14 MR. NUGENT: Barker.

15 A. Barker.

16 BY MR. MATULA:

17 Q. Are you talking about Anna?

18 A. Yes.

19 Q. Who got fired the day after the --

20 A. Yes. Yes.

21 Q. Okay.

22 A. So initially she was one, and then
23 Crystal and I don't know her last name, and the last
24 person was April and I don't remember her last name.

25 Q. And do you know specifically what

1 Crystal or April's titles were?

2 A. Crystal was -- I don't know her
3 specific title. April was a radiology tech.

4 Q. So also in terms of our -- kind of the
5 running list of other people you believe treated you
6 differently because you're African-American, we can
7 add Crystal and April to the list?

8 A. Oh, yes.

9 Q. All right. And I have not seen any
10 emails or other documentation that relates to the
11 concern that you have spelled out in the first part
12 of this paragraph. I found it for the first two
13 incidents, but I haven't seen anything on this. Did
14 you -- did you ever write an email about it, to your
15 knowledge, did you generate documentation, your
16 concerns you had, or no?

17 A. I did not write an email. My concerns
18 were, I took personally to Sterling Ream made her
19 aware -- made her aware that I was going to address
20 the -- my concern professionally, individually with
21 the individual -- or individuals.

22 Q. Crystal -- Crystal and April?

23 A. Yes, when it -- when it occurred
24 again. And I also made Dr. Lovelace aware of it.

25 Q. And when you went to Sterling to

1 provide her with that information, how did she
2 respond?

3 A. She agreed with me and noted that she
4 was aware that I would attempt to correct this on my
5 own, by making it known to them that that wasn't
6 appropriate behavior.

7 Q. With regard to how Ms. Ream received
8 your concern and responded, do you -- do you have any
9 criticism of her for your interactions with Sterling
10 Ream about this?

11 A. Yes, I do. I -- I believe that it
12 should have been memorialized as a complaint. That I
13 had a verbal complaint to her.

14 Q. Okay. And why was it again that you
15 didn't bother to memorialize it yourself with an
16 email or something like you had on the -- at least
17 the concerns about the specimen?

18 A. I'm not -- I don't recall if there was
19 a specific reason that I chose not to do that. Other
20 than I had made her aware verbally.

21 Q. Okay. And -- well, in any event
22 when -- did you in fact follow-up on what you told
23 her and bring your concerns to Crystal and April at
24 that time?

25 A. Yes, I did.

1 Q. How'd that go?

2 A. On -- I will -- I will sum it up to
3 say not so well.

4 Q. Okay. Did you talk with them
5 individually or together?

6 A. Individually.

7 Q. All right. Let's start with Crystal.
8 How did your -- tell me the -- who said what when you
9 met with Crystal to discuss this concern?

10 A. I don't remember the exact words, but
11 there was a -- I do recall a nonchalant-type, "Oh,
12 well. Whatever."

13 Q. Okay. Regardless of her demeanor or
14 attitude after you brought this to your attention --
15 brought this to her attention, did her behavior
16 change going forward, Crystal?

17 A. No.

18 Q. Okay. And at that point, did you --
19 why didn't you send an email or follow-up with
20 Sterling, "Hey, Sterling, I talked to Crystal like I
21 told you, but things haven't changed"? Why would you
22 not do that?

23 MR. NUGENT: Object to form.

24 You can answer.

25 A. Shortly thereafter there was someone

1 else assigned to assist me. She was put into a
2 different position, and someone else was assigned.

3 BY MR. MATULA:

4 Q. All right. How about -- okay. So the
5 problem at least with regard to Crystal, that seemed
6 to resolve itself because of changeover in positions
7 even though it didn't seem like Crystal took it to
8 heart, is that a fair summary?

9 A. I won't say that it resolved itself.
10 I will say that that situation with her specifically
11 was no longer taking place, so....

12 Q. Right. You --

13 A. Well, then we had other issues, so....

14 Q. Okay. Well, at least with regard
15 to -- and I'm just looking again at what you put in
16 your narrative. And you said, hey, Crystal is one of
17 these people who, you know, interjected and -- and
18 talked disrespectfully while helping me out, and I
19 just want to cover what your interactions with
20 Crystal were, at least on that situation.

21 You went to her, she was nonchalant,
22 didn't look like she was going to change her
23 behavior, but before you needed do anything else, she
24 was moved to a different position?

25 A. Correct.

1 Q. Okay. What about April? How'd that
2 go with April?

3 A. With April, there was a -- she was
4 pleasant in her acceptance of what I said to her, but
5 there was not a change in that particular behavior,
6 and then there was retaliation. I call it -- it was
7 -- there was retaliation that I began to experience
8 after that.

9 Q. Okay. Well, let's stop there. Like
10 when -- when -- the next time April acted in this way
11 that you didn't think was right, the next time she
12 did that, what'd you do?

13 A. I asked her to leave the exam room.

14 Q. Okay. And -- and so, who then
15 assisted you?

16 A. Well, I was -- at that point, so when
17 I'm finished with the patient then you can come back
18 and assist me, and then you can leave. Again, so
19 that when I'm educating a patient or talking to a
20 patient or getting a history from a patient, I don't
21 necessarily need you there for that part, because
22 you're not sure how not to interject.

23 Q. Okay. So you began asking April to
24 leave during -- when you're giving patient advice and
25 come back for afterwards, whenever she would be

1 needed again?

2 A. Uh-huh.

3 Q. Is that how you handled it?

4 A. Yeah.

5 Q. Okay. And again, did you -- did you
6 go back to Sterling or anyone else for that matter,
7 and say, "Hey, this problem is not resolved. April's
8 still doing it"?

9 A. Yes, I did, and I went back because my
10 patient load, my schedule began to be altered where I
11 was originally scheduled, you know, 20 to 25 patients
12 a day, now I'm down to ten patients a day. And you
13 know the number of patients that I see determines my
14 productivity which determines, you know, my need to
15 be in that position to have that job, and so that
16 became an issue and I believe that was retaliation.

17 Q. Why don't you say one word about that
18 in your narrative?

19 A. That's a good question. Once again --

20 Q. Any explanation you'd like to offer
21 about that?

22 A. Yeah. Yeah.

23 Once again, when I wrote this, I was
24 giving sort of a synopsis, sort of a summary of the
25 things that had happened, and so -- while I was

1 there, and what I was asked to do by the folks at the
2 EEOC, was to give him basically some -- to sort of
3 point out some specific -- a few specific situations
4 on paper in a summary to give him -- so I -- really I
5 wasn't asked at the time to write down every specific
6 situation and honestly when you're doing this, and I
7 don't know if you've experienced -- when you're doing
8 this, some things come to mind as you're doing it,
9 and I tried to include it in a more general or broad
10 picture and so maybe I wasn't as detailed as I should
11 have been.

12 Q. I just -- I mean, we can agree that
13 there's not one word in here about you having
14 concerns about your patient load changing; right?

15 A. Yeah, there is if you read further.

16 MR. NUGENT: Object to form. It's
17 been asked and answered.

18 A. There is if you read further.

19 BY MR. MATULA:

20 Q. Where is it?

21 A. I talk about the affect of my ability
22 to practice and take care of my patients. How it
23 affected -- well -- perhaps that was the statement on
24 the actual complaint form that I wrote in addition to
25 this statement. So where I addressed that my ability

1 to perform my job was compromised because of the
2 behavior, and the treatment that I was receiving and
3 I can find it if you would like.

4 Q. Hold on. You've had a few minutes to
5 review this section that we're talking about right
6 here. And I just want to make sure. Having taken a
7 few minutes to read through it again, there's nothing
8 in this document, at least the pages of your
9 single-spaced narrative, that specifically refers to
10 your patient load decreasing, is there?

11 A. I have not come across it. I just
12 sort of perused it. I don't see it.

13 Q. Well, here's the deal, we have some
14 time limitations.

15 A. Okay.

16 Q. I've read this pretty exhaustively to
17 get ready for the testimony. And you obviously spent
18 some time studying it on the record. If you see it
19 later or something, we'll come back to it, but I'm
20 going to move on --

21 A. Okay.

22 Q. -- on some of this.

23 A. Okay.

24 Q. Putting aside what's in this document,
25 you know, this is another situation where in terms of

1 being retaliated against with regard to work
2 schedule, whatnot, I have -- I have not seen any
3 emails, or any documentation memorializing that you
4 brought those concerns up during your employment, is
5 there anything that you can think of that I -- that
6 I'm missing during --

7 A. No, there's nothing I can think of
8 that you're missing.

9 Q. Okay. Finishing off that --

10 MS. JAG: I'm sorry. There's some --
11 I think I hear like typing maybe. Or, I don't know.
12 There's somebody that's not on mute, and I just
13 couldn't hear a little bit there for the last minute.
14 Sorry.

15 Thank you.

16 MR. MATULA: Sorry.

17 BY MR. MATULA:

18 Q. Okay. The last half of the paragraph,
19 you refer to another incident, specifically June 1st,
20 when a layperson, an unlicensed staff member
21 dispensed inaccurate and potentially harmful
22 medicine.

23 MR. NUGENT: Counsel, I think that's
24 medical advice.

25 MR. MATULA: Oh, gotcha. I misspoke.

1 Okay. Let me try this again.

2 BY MR. MATULA:

3 Q. Same page. Talking about the June 1,
4 2018 incident where a layperson, an unlicensed staff
5 member, dispensed inaccurate and potentially harmful
6 medical advice.

7 Do you see that?

8 A. Uh-huh.

9 Q. Now -- okay. I think we can shorten
10 this up. I guess I'm confused. With regard to this
11 June 1st incident, how does it relate to issues of
12 race discrimination?

13 A. Okay.

14 Q. If at all.

15 A. Okay. Because this particular
16 behavior I did not witness in regard to other
17 practitioners or clinicians. They did not go to --
18 go to patients that were Dr. Epperson's client care
19 patients or -- or Nurse Practitioner Kirby's patients
20 and say, "Well, you know, let me explain to you what
21 she meant by that, and this is what you need to do
22 for it." That did not occur.

23 And I think I can make the distinction
24 for you. Because I am women's health, although I did
25 some general practice here as well. So specific

1 conversations that I have heard regarding women's
2 health, that would relate -- that would be
3 specifically me. Okay. And I don't --

4 Q. Just so I can understand better I'm
5 going to have to get some names here.

6 A. Okay.

7 Q. On June 1st, you witnessed a
8 layperson, unlicensed staff members dispensing
9 inaccurate and potentially harmful medical advice.
10 Who's the layperson you're referring to?

11 A. That was Crystal.

12 Q. And who are the unlicensed staff
13 members you're referring to?

14 A. That's Crystal.

15 Q. Well, it says "layperson and
16 unlicensed staff members." The "and" made me think
17 there might be more than one person.

18 A. That's just a -- a logistical type....
19 Yeah.

20 Q. All right. So just clarifying that,
21 maybe, lack of precision, the June 1, 2018 incident,
22 we're really just talking about Crystal?

23 A. Well, yeah, that was the incident that
24 I actually witnessed. That I actually heard.

25 Q. Okay. And so what was it that you

1 heard Crystal doing that caused some concern for you?

2 A. She was counseling someone on an
3 issue, on a female issue.

4 Q. Was this during an appointment or like
5 -- let's put Crystal into context. Where is this
6 happening?

7 A. I believe it was -- she may have been
8 helping -- I'm -- I'm not a hundred percent sure
9 exactly. It was within the medical department.

10 Q. Was she assisting someone else or was
11 she just seeing a person -- a patient on her own or
12 how does that work?

13 A. No, she wasn't seeing a patient on her
14 own. She may have been doing vitals, which, you
15 know, putting the blood pressure cuff on them,
16 hitting the button to go start and then writing down
17 the numbers that come at the end.

18 Q. Okay. She's doing whatever she's
19 doing as part of her normal job, and she starts
20 talking about some women's issue that you think she's
21 giving inaccurate and bad medical advice?

22 A. Correct.

23 Q. And so then you -- do you remember
24 what the specific advice was?

25 A. No, I do not.

1 Q. But in any event, you say you reported
2 the inappropriate unwelcomed behavior -- first, how
3 do you know it was unwelcomed?

4 A. Because it's inaccurate.

5 Q. Okay. Well, there's -- I agree it
6 might be inappropriate for someone who's not
7 qualified to give medical advice to be doing so.
8 That, I understand, but, I mean, if the -- if the
9 patient -- do you know if the patient asked for --
10 did the patient like -- how do you know it was
11 unwelcomed to the patient?

12 A. I don't know that it was unwelcomed to
13 the patient.

14 Q. Okay. In any event, you reported this
15 to the site administrator -- again, that's Sterling;
16 correct?

17 A. Yes. It was unwelcomed to me as a
18 provider. As the person with the training, the
19 certification and the licensure, it's unwelcomed by
20 me for you to educate my patients or give medical
21 advice to my patients when you don't have the
22 knowledge and information, credentials, license,
23 education to do so. It was unwelcomed by me.

24 Q. Okay. In any event -- so you then
25 reported this to the site administrator, and I'm

1 assuming that's another oral report because I haven't
2 seen any documentation on that, is that a correct
3 assumption?

4 A. That's correct.

5 Q. Okay. So you go to Sterling, and say,
6 "Hey, Crystal was giving some medical advice that she
7 shouldn't have been giving," and then -- and that's
8 the gist of what you told her; right?

9 A. Uh-huh.

10 Q. And then you tell -- you're going to
11 go on and personally address this behavior with the
12 individuals privately -- and individuals, I guess
13 that's another kind of, maybe, just we need to change
14 that to individual, because we're talking about
15 Crystal. So you say you're going to address it with
16 Crystal; is that correct?

17 A. Well, I would keep it "individuals,"
18 because at this time this is when I -- I spoke to
19 both of them on separate occasions because the
20 behavior was the same.

21 Q. Who's "them"?

22 A. April and Crystal, the people that
23 were assisting me periodically.

24 Q. Okay. I'm try trying to keep up, but
25 I thought you very specifically made clear with

1 regard to this giving inappropriate medical device,
2 that was just something involving Crystal.

3 A. On that particular day, but the
4 behavior had been displayed by both of the ladies.

5 Q. Okay. All right. So June 1st we're
6 talking about Crystal, but there's some other things
7 that we don't have specifically mentioned here where
8 April did it as well, so you're going to talk with
9 both of them?

10 A. Correct.

11 Q. All right. So how did that go?

12 A. Okay. As I said before, Crystal was
13 kind of nonchalant, like, "Whatever."

14 April was pleasant in her acceptance,
15 but then things began to happen.

16 Q. Such -- okay. I think that goes into
17 the next paragraph here. Where you're talking about
18 there's -- "Began subtle behavior changes and
19 response of DOC personal -- staff personnel," is that
20 what you're referring to?

21 A. Yes.

22 Q. Okay. Tell me what were the
23 behavioral changes that you began to notice after
24 June 1st, when you brought this situation to April
25 and Crystal's attention?

1 A. Well, one was the person who's keeping
2 my schedule. My schedule begins to change, and that
3 can be confirmed and verified through the office
4 there. How many people were on my docket, you know,
5 this month versus this month. Or how many patients I
6 was seeing on a monthly basis this month versus this
7 month.

8 Q. Okay. So I'm just trying to figure
9 out how -- what the behavioral changes were. One
10 behavioral change you're saying was --

11 A. Is you're not -- you're not --

12 Q. -- is --

13 A. -- you're not booking my schedule.
14 You're not booking my schedule.

15 Q. So your -- your schedule is not as
16 full, you noticed that, and that's something that
17 Sterling's in charge of assigning; right?

18 A. No.

19 Q. Who's in charge of that -- that -- I
20 mean, who's to blame -- who's doing the bad thing
21 with your schedule? I'm confused.

22 A. It was April. Because April was
23 assigned to work with me. Making my schedule became
24 her job, because the way that it worked is really --
25 it sounds confusing, but the way that it works, they

1 come to sick call. They come in to sick call with a
2 complaint, if the complaint --

3 Q. And I don't mean to interrupt you, but
4 I don't need -- I didn't need all that.

5 A. Okay.

6 Q. Let's just take it in baby steps here.

7 A. Okay.

8 Q. April is the person who you say starts
9 jacking with your schedule?

10 A. Yes.

11 Q. Anybody else?

12 A. No, not with my schedule.

13 Q. Okay. What -- other than your
14 schedule changing, which April is now messing with
15 it, you believe, what are the other behavioral
16 changes or retaliation that now starts after you've
17 confronted Crystal and April about their behaviors?

18 A. I have custody offers -- officers
19 standing outside my door in the medical facility.
20 There was one time --

21 Q. Okay. That's -- that's fair. I just
22 want to break these down. So who's -- who's to blame
23 for that?

24 A. I believe that because this community,
25 this culture that we're in here at Chillicothe, there

1 is a small community and the surrounding rural
2 communities, most of the people are related or
3 related by marriage, or they went to school together,
4 or they live down the street from one another, so
5 they are very much involved with one another's lives.

6 And I know for a fact that it was her
7 aunt or uncle that had worked there, and had worked
8 there for 20 some years or something of that nature,
9 and that's when things began to happen.

10 Q. So again, with regard to the fact that
11 the officers start showing up at these visits, your
12 belief is that's because of April?

13 A. That's because I reprimanded April.

14 Q. Okay. I'm trying to just make sure I
15 know who all the list of people who are responsible
16 for the bad things that you say happened to you, and
17 it sounds like you're saying, April -- you confront
18 April, and then officers start coming around more
19 during your -- your visits and -- because April is --
20 has a relationship with one of the correctional
21 officers, you think that must be because she's
22 putting it into motion?

23 A. She has family there that may not take
24 kindly to someone correcting her behavior.

25 Q. Okay. All right. So what else? I

1 mean, we've -- we've got the schedule changes?

2 A. Uh-huh.

3 Q. We've got officers being more watchful
4 of you, which you attribute to April. What else?

5 A. I had an office- -- I was in the
6 middle of an exam and an officer barged into the exam
7 room and the patient is on the table in stirrups, and
8 the officer comes in without -- without regard to the
9 fact that this was a -- an exam that involved
10 someone --

11 Q. Who was the officer?

12 A. I couldn't -- I don't remember.

13 Q. Well, did you get his name to report
14 him?

15 A. No, I did not.

16 Q. Why not?

17 A. Because at the time I believe I knew
18 his name and I did tell the administrator that this
19 had happened.

20 Q. Okay. And again, you told the
21 administrator --

22 A. And I also told Dr. Epperson. I'm
23 sorry.

24 Q. But apparently, though, Epperson and
25 the administrator, didn't generate any documentation

1 that you're aware of, certainly not from your end?

2 A. Correct.

3 Q. Okay. And again, I want to kind of --
4 well, when the officer came in, did you ask him what
5 are you doing in here?

6 A. Did I ask him what are you doing in
7 here? No, I answered his question, which was who is
8 the patient.

9 Q. Okay. All right. When you spoke with
10 Sterling Ream about this situation when the officer
11 came in in an exam, what'd she say?

12 A. I don't remember the specific words,
13 but her response was surprised.

14 Q. Do you recall whether there was any
15 discussion about whether there's anything else to be
16 done, what she was going to do, what -- what's -- do
17 you remember anything about how that went?

18 A. No, I do not.

19 Q. Okay. Any other retaliatory behavior
20 or behavioral changes that you refer to here that
21 relate to the actions of Corizon employees? And I'm
22 limiting my question very specifically, because
23 you've also sued the Missouri Department of
24 Corrections. There's a chunk of this narrative that
25 seems to be more directed, as I read it, to the

1 behaviors of what you say people associated with the
2 Department of Corrections did.

3 A. Uh-huh.

4 Q. And I'm -- I'm going to try in the
5 interest of time to focus my questions just on the
6 things that you are saying that someone that worked
7 at Corizon did.

8 A. Uh-huh.

9 Q. All right. You with me?

10 A. Uh-huh.

11 Q. Does that make since?

12 A. Uh-huh. Yes.

13 Q. Okay. Thank you. Anything else in
14 here that relates to things that Corizon employees
15 did that you contend were race discrimination or
16 harassment?

17 A. I will say that what was happening to
18 my schedule affected my ability to do my job. The
19 information that they were giving, affected -- that
20 Corizon employees had the opportunity to do, even
21 after I asked them not to, that affects my ability to
22 do what I do, and they didn't do that to other
23 members of the medical personnel.

24 Q. And again, "they" is April and
25 Crystal?

1 A. Yes.

2 Q. Okay. All right. So, but again that
3 relates to the reporting of information about your
4 patients; right? I guess I'm trying to just see --

5 A. Well, and it may not be so much what
6 they did as what they did not do when they were asked
7 to change their behavior and they were asked and --
8 and -- and administration was made aware that this
9 was a problem and it continued. And it got worse.

10 Q. It got worse meaning your schedule?

11 A. Meaning the behavior.

12 Q. Well, okay. I'm confused again. What
13 behaviors are we talking about?

14 A. We're talking about, "I asked you to
15 not dispense information or education that you have
16 no background in. Two patients that are under my
17 care, I've asked you to not interject or interrupt
18 when I am counseling a patient, taking a history,
19 educating a patient. I've asked you to not do that."

20 Q. Right. And we've covered that, and
21 we --

22 A. Yes.

23 Q. -- talked about it at some length?

24 A. Yes.

25 Q. And that relates to things that

1 Crystal and April were doing --

2 A. Uh-huh.

3 Q. -- right? And at least with regard to
4 Crystal, that behavior, while she didn't have a
5 really good attitude about it, because there was some
6 staffing changes insofar as it relates to Crystal's
7 ongoing conduct, that got resolved without having to
8 dig deeper into it; right? We've covered that; true?
9 With regard to Crystal.

10 A. Crystal did go into a different
11 position.

12 Q. All right. So that at least Crystal
13 is in a different position, so she's not in a
14 position to where you have to have these bad
15 encounters with her with regard to that topic?

16 A. Correct.

17 Q. Okay. Now, so that leaves April, and
18 so you've had the conversation with April about,
19 "Hey, I don't want you interjecting or talking to my
20 patients that way," and then, as I understand it, you
21 believe there's changes such as you're not getting
22 staffed with as many patients, and you see some more
23 of the correctional officers around during your --
24 while you're performing your duties, and then one
25 time -- at least one time, a correctional officer

1 barges into an examination. Okay?

2 We've covered all of those, have we
3 not?

4 A. And there was nothing done by
5 administration.

6 Q. Okay. All right. What -- I want to
7 go and just see on this list, anything else from
8 Corizon that you feel is something -- something
9 Corizon employees did, as opposed to the Department
10 of Correction facility employees?

11 A. Regarding this particular situation?

12 Q. With regard to anything else here in
13 your -- your claims, because I'm not seeing it, but
14 if there's something else, what?

15 A. In regard to my claim -- okay.
16 So I --

17 Q. And if it's in your narrative
18 somewhere, highlight it for me.

19 A. Okay.

20 MR. NUGENT: If I understand what's
21 going on, Counsel, you want to know an entire list of
22 things that the witness feels happened that were
23 discriminatory -- that she believes were
24 discriminatory; is that right?

25 MR. MATULA: That relate to Corizon

1 employees, because there's --

2 MR. NUGENT: I understand.

3 MR. MATULA: I'm going through -- I'm
4 working off of that, and so we're at the point where
5 we have exhausted everything that -- as I read the
6 document, that is seemingly related to Corizon
7 employees. So -- so that -- because I'm not seeing
8 anything else here, I need to know if there's
9 anything --

10 A. I do.

11 MR. NUGENT: Thank you.

12 A. On Page 9 of 15 in the second
13 paragraph, I -- I tell you here about the things that
14 were happening, and what Corizon employees did do, is
15 they used their access to the Department of
16 Correction's computer to find information -- why
17 they're seeking this information, I do not know. Did
18 they do this to every employee or was it just me?

19 And so that was an act that went
20 against policy -- Corizon's policy and against the
21 Department of Corrections' policy -- and the things
22 that transpired before I knew what had actually been
23 done. So I mean, you know, you can go into the
24 behaviors. How it -- how it -- how it got worse
25 with, you know, the skepticism, my patient load, over

1 talking me, overriding my decisions, the blatant
2 disrespect. All of these things that were taking
3 place, they took place because of -- that was a
4 discrimination. That was a discrimination. It was a
5 discrimination when you chose to make the decision to
6 look this up in the first place.

7 BY MR. MATULA:

8 Q. Sitting here today --

9 A. Uh-huh.

10 Q. -- what is -- do you have an
11 understanding of the date when there were Corizon
12 employees who accessed your Department of Correction
13 records against policy?

14 A. This was --

15 Q. When they would have basically found
16 out the information. Do you have a -- do you know
17 when that happened?

18 A. The specific date? No, I do not.
19 I've been given -- I've been told a couple of
20 different things, but I don't have a specific date.

21 Q. All right. What have you been told
22 and from whom have you been told?

23 A. Well, this sheet that you just showed
24 me shows that Teresa McWhorter knew when I came
25 onboard, which is not a big deal. There's a sheet

1 here that says that my record -- and so she was aware
2 of it. But she wasn't there very long.

3 And then I was told verbally by
4 Ms. Burris when she called me in April or May of
5 2019, that had it had been, at least, I don't know,
6 eight or ten months previously that this information
7 had been circulating and conversations were being
8 had.

9 Q. Eight or ten months?

10 A. At least, yeah.

11 Q. That's a -- do you know any
12 information about what investigation Corizon
13 management did to look at and determine when your
14 records were actually accessed?

15 A. No, they would not allow me to have
16 that information.

17 Q. Okay. But you -- you were proceeding
18 under the impression and understanding that it went
19 back at least eight to ten months before your
20 employment ended; correct?

21 A. Yes.

22 Q. All right. Other than Ms. Burris,
23 what is your source of information or evidence as to
24 when your records were first inappropriately
25 accessed?

1 A. I don't have a source of
2 information on when they were -- any other source of
3 information. I can only correspond overt changes in
4 blatant behavior with that time frame.

5 Q. Gotcha. Okay. So I'm going to put
6 that in the category of -- the discriminatory event
7 being the improper accessing of your records and
8 sharing information about you, is that a good way to
9 bullet mark that type of discrimination?

10 A. Yeah.

11 Q. Okay. And then anything else that we
12 haven't discussed already that you attribute to
13 actions of Corizon employees?

14 A. Anything else -- you would have to be
15 more specific than that, so at this time I'm going to
16 say I'm sure there is, there were many such
17 situations where I felt scrutinized.

18 Q. And if you recall -- if you recall the
19 specifics, I do want to get the list. I'm just --
20 it's hard for me to be more specific, because I don't
21 see them referred to specifically in either this
22 piece of paper or any of the other many papers that
23 I've read to get ready for your testimony.

24 A. Okay.

25 Q. So I've tried to ask you questions

1 about specific instances of the things that I kind of
2 can flag for myself because I see some documentation
3 based on what you wrote or somebody else wrote, but
4 it's really hard for me to be more specific about if
5 there's anything else out there when I don't see
6 anything else.

7 A. Okay.

8 Q. Are you with me? So, but that said,
9 if there's other things then I want to give you the
10 opportunity for us to get them listed and talk
11 through them as we have been.

12 A. Okay. Well, let me say on that note,
13 that in this particular situation with Corizon, there
14 were -- after the episode -- or after the situation
15 with Brandy [sic] -- or what was her name? Barker,
16 in the beginning that overt discrimination was not
17 one of those things that -- people weren't going
18 around calling me names. Okay? But the more
19 subtle -- the subtleties of the behaviors I would
20 characterize as discriminatory, and they made me feel
21 uncomfortable, they made me feel singled out, they
22 made me fear for my license -- okay? -- they -- they
23 caused me to lose sleep at night because I have this
24 stuff happening to me every day, on a daily basis.
25 The -- the secrecy, the murmuring, the whispering,

1 the -- and -- and you know, it's because this is -- I
2 will go back to institutional racism. I will go back
3 to white privilege. I will go back to the fact that
4 this is the way it is in rural America, because
5 they're not used to me being there. They don't know
6 any different -- well, maybe they do and don't care,
7 I'm not sure, but it was a daily struggle. It was a
8 daily struggle.

9 Q. When did it become a daily struggle?
10 What was the first day of the daily struggle?

11 A. I -- probably the first day I drove
12 into town and that's sort of being of a little, you
13 know -- you know, exaggerating, because I usually
14 look at people and give them the benefit of the doubt
15 in the beginning. Okay? But when -- when I'm
16 questioned, as if I am not qualified or the
17 implication is made, or the -- I mean, it's -- it's
18 kind of your -- your -- the implication is made that
19 I do not deserve to be in that position, and that
20 folks who don't have the training that I have are
21 overriding things that I'm telling patients and the
22 work that I'm trying to do to -- to help provide
23 excellent care to the people that are under my -- my
24 charge, then that tells me that the overall
25 disrespect that I see towards me and it's not towards

1 other people, it has to be due to -- to race.

2 Q. Okay. You've -- there's a lot to
3 unpackage from what you just told me.

4 A. Yeah.

5 Q. I'm trying to get specific instances
6 of actions. And -- and what you just said, the ones
7 I noted were that there was whispering and murmuring.

8 A. Uh-huh.

9 Q. Okay. Those are specific actions
10 that, it sounds like, you saw, people whispering or
11 murmuring that you attribute to being some product of
12 race discrimination, and -- those are the actions.

13 So in terms of whispering, I mean, who
14 all was the whispering, who all was the murmuring?

15 A. Okay. So if we go back and look at
16 the whole picture -- okay? -- because you're
17 talking about --

18 Q. I'm just asking for names. I'm asking
19 for names.

20 A. Yeah, well, we can talk about staff.
21 We can talk about staff. It was the staff.

22 Q. Can you give me the names of any of
23 the staff members to whom you're referring to with
24 regard to these other types of discriminatory
25 incidents that are not in your narrative specifically

1 which include, apparently, whispering and murmuring?

2 A. Okay.

3 Q. Can you give me the names?

4 A. Okay. And so maybe I should have --
5 whispering and murmuring is a term that I'm using to
6 try and convey to you the things that were happening
7 around me, about me because of a decision that
8 someone made to -- to research some documents, and
9 you know, try and assassinate my character because of
10 whatever reason they had for that.

11 MR. NUGENT: Mrs. LaBlance, let me
12 step in for just a second. So you're -- you're
13 providing context behind your answer again.

14 THE WITNESS: Okay. I apologize.

15 MR. NUGENT: I understand that. I
16 understand that. But what Mr. Matula is asking you
17 specifically, because of you listing murmuring and
18 whispering, he's asking who did you observe
19 specifically murmuring about you or whispering about
20 you; is that accurate?

21 MR. MATULA: Yeah.

22 MR. NUGENT: He's just -- he's just
23 wanting a list of names.

24 A. Oh. Okay. The -- the sick call
25 nurse, Shelby, I think was her name. And then there

1 was Tammy Christopher. Her name was Tammy
2 Christopher, and then there was the red-headed girl.
3 What is her name? I can't think of her name right
4 now. Rachel Stuever that worked days.

5 BY MR. MATULA:

6 Q. She's the -- she's the red-headed
7 girl --

8 A. No, Rachel Stuever is not the
9 red-headed girl.

10 Q. -- or somebody else? Because I've got
11 the sick call nurse is one, Tammy --

12 A. Christopher.

13 Q. -- Christopher is Number 2?

14 A. Uh-huh.

15 Q. Three, red-headed girl. Four was --

16 A. Stuever is her last name.

17 Q. Ms. Stuever?

18 A. Uh-huh.

19 Q. Okay. And these are people who you at
20 times observed in the workplace whispering and
21 murmuring and you believed they were whispering and
22 murmuring about you?

23 A. Yes, because sometimes -- yes. Yes.

24 Q. Okay. And you were anticipating my
25 next question. What specifically was the reason you

1 believe they were talking about you?

2 A. This --

3 Q. Let me ask first: Could you hear --

4 A. Yeah.

5 Q. -- what they were saying?

6 A. Yeah.

7 Q. Okay. Tell me what they were saying.

8 And when I say "they" can you be specific because I
9 need to know whose mouth you're putting these words
10 in.

11 A. The question was that I overheard.

12 "Well, I wonder what she did." And
13 that, I am positive, was in reference to the
14 information that was found on the -- the computer.

15 Q. And who said that?

16 A. I believe it was Shelby.

17 Q. And do you know when this was and if
18 you can be approximate in terms of how far out from
19 the end of your employment that might be a reference?

20 A. Maybe in December I heard this
21 conversation.

22 Q. All right. Anything else that you
23 specifically heard that you kind of put into these
24 categories of murmuring and whispering?

25 A. A comment was -- was made to me, "I

1 can find anything on the Internet."

2 Q. And who said that?

3 A. Kirby.

4 Q. And when did Ms. Kirby say this?

5 A. That was probably in December as well.

6 Q. And what did you -- when she said
7 that, what did you take her to be referring to?

8 A. Information about me.

9 Q. And why -- did you ask her what she
10 was referring to?

11 A. No, I did not.

12 Q. And I guess, why not? If it's that
13 upsetting -- you're describing something that's very
14 upsetting, you're losing sleep, it's affecting you,
15 Kirby in December, supposedly says, "I can look up
16 anything on the Internet." You draw the conclusion
17 that she's talking about you?

18 A. Well, she was talking to me.

19 Q. Okay. I mean, tell me, what was --
20 did she come out of the blue and say that, or what
21 was the previous, you know, minute and a half
22 conversation before and after she said that?

23 A. You know, I don't remember.

24 Q. All right. Fair enough. Okay.

25 Anything else in terms of specifics

1 about the whispering and murmuring that you believe
2 went back several months, and you believe must be
3 related to the fact that someone had looked up your
4 correctional records inappropriately? Anything else?

5 A. There was one specific day that I --
6 it was probably in November or December, where
7 several of the ladies that -- the employees, the
8 nurses, one after another, came to my office, opened
9 my door, looked at me, didn't say anything, and then
10 went away.

11 I heard out in the hallway, Sterling
12 Ream say, "Well, I'll be able to tell." She opened
13 the door, she looked at me and she backed up, closed
14 the door and walked away.

15 And I believe at that time, what they
16 were doing was comparing my face to what they had
17 printed off of the computer. Which was later
18 confirmed when I received the documents from
19 Dr. Epperson in the mail that that had been
20 disseminated throughout the facility.

21 Q. Gotcha. And that happened in November
22 or December?

23 A. Yes.

24 Q. Okay. Back when all of these people
25 just kind of oddly opened the door to your office,

1 poked in, Sterling comes in, you just kind of -- when
2 you confronted Ms. Ream about it, what'd she say?

3 A. I did not confront her about it.

4 Q. Did you -- did you report this to
5 anyone?

6 A. I did not.

7 Q. Why not?

8 A. It's sort of like I'm feeling right
9 now. Like reporting it to who, for what? I mean --
10 I mean, that may sound odd, but that's what it feels
11 like, what am I recording, that several people poked
12 their head in, and looked at me and walked away.
13 They didn't say anything. They didn't let me in on
14 whatever -- what reason they were doing this.

15 Q. And you didn't -- and in fairness, you
16 didn't ask them?

17 A. Well, I was at work and I was seeing
18 patients and I did have things to do.

19 Q. Okay. Because whatever reasons, the
20 bottom line was either right then, nor any other time
21 did you actually go ask any of these people what was
22 going on, did you?

23 A. No, I did not. But I know it made me
24 feel uncomfortable.

25 Q. I under- -- I get it. I mean, I just

1 want to understand the facts about what happened or
2 what you did or what you didn't do.

3 Okay. And did you ever report any of
4 the whispering/murmuring comments, I know what she
5 did, or I wonder what she did or these deals with
6 people coming in and looking at you in the office,
7 anything of the things that we discussed in this
8 category, did you report those situations to anybody?

9 A. No, I did not.

10 Q. All right. Have we now exhausted
11 everything you can provide in terms of specifics as
12 to any conduct of racial discrimination or a
13 harassing nature that you attribute to Corizon
14 employees?

15 A. I don't have any other incidents
16 documented.

17 Q. Well, if you have any other ones that
18 are -- that you're thinking of whether they're
19 documented or not, I would like to hear about them,
20 unless -- well, let me put it this way:

21 If there's something that you plan on
22 sharing with the jury at trial, I want to hear about
23 it today. And I think that's -- that's fair. If you
24 can't provide more specifics, that's fair too, but
25 anything we're going to hear about at trial, this is

1 my opportunity to ask you questions about it, so if
2 there's something that's not documented, such as the
3 whispering, murmuring, the other things you've talked
4 about, anything else, let me know. Otherwise we'll
5 move on to some other topics.

6 A. We can move on.

7 Q. Okay.

8 MR. MATULA: Let's go to what is
9 probably marked as Exhibit 17. One second.

10 BY MR. MATULA:

11 Q. The next series of questions I'm going
12 to ask before we get into that is your resignation.
13 It looks like you informed Sterling Ream that you
14 were resigning on -- the beginning of February,
15 February 1st or 2nd; does that sound right?

16 A. Correct.

17 Q. And tell me about that meeting. Was
18 it in person? Was it on the phone? How did you
19 inform Ms. Ream that you were resigning?

20 A. I typed up a statement that said I'm
21 resigning as of this date.

22 Q. And you agreed to go ahead and work
23 out your three weeks of notice period; right?

24 A. Uh-huh.

25 MR. NUGENT: "Yes"?

1 A. Oh. Yes.

2 BY MR. MATULA:

3 Q. And had you prior to tendering your
4 resignation letter, had you told anyone at Corizon
5 that you were thinking of resigning?

6 A. I don't believe so.

7 Q. And in terms of the reasons that you
8 gave Corizon, what did you tell Corizon why you were
9 leaving?

10 A. I told them that it was too exhausting
11 with, you know, coming there, driving there, being
12 there and I needed to make a change.

13 Q. And in particular, you did have a
14 pretty good commute. How long did it take you to get
15 from your home in Kansas City up to the facility?

16 A. About an hour and a half.

17 Q. And at any point during any of the
18 communications related to your resignation, during
19 that period of time, you never said anything to
20 anyone that it had anything to do with race
21 discrimination or feeling harassed, did you?

22 A. Yes, I did.

23 Q. Who did you tell that to?

24 A. I told that to them with the incident
25 with Judy Harkins. I told them that I felt

1 discriminated against then, when I filed a complaint.
2 I shared that with Dr. Epperson.

3 Q. Yeah, right now I'm focusing really on
4 a particular time frame.

5 A. Oh. Okay.

6 Q. I'm talking about, like, okay, here's
7 my resignation, February 1st.

8 A. Oh. Okay.

9 Q. February 22nd, we know is your last
10 day of employment.

11 A. Okay. I get it. I get it.

12 Q. And we're going to talk about a couple
13 other things that happened in there, the papers and
14 this, but I'm just trying to short-circuit this.
15 From the time you first gave you were resigning to
16 your last day on the job, there was never any
17 discussion about race discrimination, harassment,
18 retaliation?

19 A. No.

20 Q. And I asked a bad question, that comes
21 with a double negative.

22 There was never any discussion about
23 race discrimination, harassment, or retaliation;
24 correct?

25 A. During that time, that is correct.

1 Q. Yeah. Perfect. Thank you for making
2 my question better than I originally articulated it.

3 Now, you did have some communications
4 in between there, where there's some discussions at
5 times going back and forth about maybe you'd stay,
6 maybe some of the job duties or assignments could be
7 changed around, maybe you could take FMLA and rescind
8 your resignation and those sorts of things, and we'll
9 look at those in a second. But there was this
10 dialogue from resignation until the last day; right?

11 A. Correct.

12 MR. MATULA: How long have we been
13 going on this one? Should I plow ahead or....

14 MR. NUGENT: It's up to you.

15 MR. MATULA: Are you -- would you like
16 to take another break now or keep going?

17 THE WITNESS: No, I'm fine.

18 BY MR. MATULA:

19 Q. Okay. Question. Why during that
20 process -- well, I guess, why did you quit your job?

21 A. The reason why I quit the job is
22 because I felt uneasy about continuing to stay.

23 There -- there was an atmosphere in
24 the environment that caused me to be fearful because
25 I did not know all of the specifics that were taking

1 place around me, about me.

2 Q. I mean, now, in terms of fearful, I
3 mean -- and I understand the idea that if you --
4 you're seeing these behaviors, and you're
5 uncomfortable about it, but I mean you were never
6 physically threatened in any way while you worked at
7 Corizon, were you?

8 A. No.

9 Q. On the first page of Exhibit 17,
10 that's an email from Sterling Ream to Jenny Meehan,
11 Friday, February 1st. It talks about the resignation
12 letter day. She also says -- the way she described
13 it here, "Due to the commute and she has accepted
14 another job." Had you accepted another job at the
15 time you turned in your resignation?

16 A. Yes, I had.

17 Q. And who was that with?

18 A. That was with Wound Care Plus.

19 Q. And that's in Kansas City?

20 A. Yes. Well, Lee's Summit.

21 Q. All right. There was -- if you go to
22 the last page of the -- Exhibit 17, that's
23 Numbered 993.

24 MR. MATULA: And Rachel, Exhibit 17 is
25 numbered 991 through 994. I'm sorry, I guess it's

1 not the last page. But it's --

2 MS. JAG: I'm sorry. 991.

3 MR. MATULA: 991 to 994.

4 BY MR. MATULA:

5 Q. There's an email that starts at the
6 bottom of 993 from Sterling Ream to Ms. Meehan,
7 that's -- in which Sterling is recounting a
8 conversation that you and she had about possibly
9 consider staying? Do you see that?

10 A. Do I see that?

11 Q. Yeah, at the bottom of 9- --

12 A. Yes, I do.

13 Q. Okay. And this is capturing the fact
14 that there had been some discussions about maybe
15 changing your work schedule to four days a week with
16 eight-hour shifts, giving you flexible -- flexibility
17 with your scheduling to vary each week, but no salary
18 change, those were the substance of what you were
19 asking for; is that right?

20 A. Yes.

21 Q. And I just want to make sure
22 there's -- how it got memorialized in these emails,
23 if there's something inaccurate, I'm just trying to
24 confirm that, but it looks like Sterling correctly
25 captured what you -- your idea of, hey, maybe I'll

1 stay if we can do these things?

2 A. Yeah. However, the first step in this
3 encounter, this is not correct.

4 Q. What?

5 A. I came to her office upon her request.
6 I didn't just come out of the blue to give her
7 conditions on when -- that I would -- conditions
8 under which I would stay. I had been asked what they
9 would need to do for me for me to consider staying.

10 Q. All right. So Corizon actually
11 initiated the conversation about, hey, is there
12 something we can do to keep you?

13 A. Yes.

14 Q. Let's look at --

15 A. But I think --

16 Q. -- Exhibit 18.

17 A. If I can go on to say, I think that
18 was just sort of for show.

19 Q. Is there any specific thing you can
20 point to me to, that's the basis for your belief that
21 Corizon's efforts to try and see if they could keep
22 you from quitting were not genuine --

23 A. The fact that they didn't --

24 Q. -- or is that just speculation?

25 A. The fact that when I gave them

1 conditions under which I would stay, it was just an
2 absolute, "Well, no, we won't do that." No
3 compromise. No other consideration. No other
4 suggestion.

5 Q. You were asking to cut your hours and
6 keep your same salary?

7 A. Well, they didn't say, "We'll cut your
8 hours, but we're going to cut your pay," they didn't
9 give that option.

10 Q. And you didn't propose it either, did
11 you?

12 A. No, I did not.

13 Q. Okay. Let's look at 18. Exhibit 18,
14 you probably haven't seen this before. There's some
15 internal emails and some internal Corizon documents
16 both are entitled No Quit Discussion Tracking Form.

17 MR. MATULA: And these are numbered,
18 Rachel, Corizon 16 through 19 [sic].

19 MS. JAG: Can you read those Bates
20 Numbers to me once more? Sorry.

21 MR. MATULA: Corizon 16 through 19
22 [sic].

23 BY MR. MATULA:

24 Q. And there's -- it probably makes sense
25 to maybe look at the second page. The one that's the

1 -- Corizon 19 first.

2 It's -- it's filled out and says, Date
3 of Interview, 2-1 and 2-4-19.

4 Do you see that?

5 A. Yes, I do.

6 Q. And then at least it says, that
7 Sterling Ream was the interviewer. And at least
8 February 1st, that was the day you tendered your
9 resignation and discussed your resignation with
10 Ms. Ream; right?

11 A. Yes.

12 Q. And again, I'm just trying to confirm
13 that the documentation captures what was actually
14 communicated.

15 A. Okay.

16 Q. That's -- there might be some other
17 things or things that were not said or whatever, but
18 first, I just want to make sure that I know whether
19 you're going to say, Hey, this is not what happened.
20 All right. Are you with me?

21 A. (Nodding head.)

22 Q. Okay. So the first -- or the second
23 page, she talks about reasons for resignation, salary
24 and other and then refers to driving to Kansas City
25 five days a week. She recorded the Number 1 issue is

1 the commute. "Terri also said she would like money,
2 and she's still thinking about the decision to
3 resign."

4 Does this document -- is it accurate
5 in capturing the things you discussed with Ms. Ream?

6 A. Yes.

7 Q. All right. Going back to the previous
8 page. The same thing, this looks like something that
9 was filled out by Ms. Meehan and it's got a date of
10 2-5, and it's -- appears to refer to the possible
11 schedule changes that we saw on the other email, it
12 says, "will think about that and advise by the end of
13 the week. Discussed possible schedule changes."

14 This is accurate in that there was at
15 least some discussion about possible scheduling
16 changes; true?

17 A. Yes.

18 Q. At some point did you -- my
19 understanding is that you actually called maybe a few
20 days after this and had indicated that maybe you made
21 the decision to quit too soon. You'd been talking
22 with your doctor, and wanted to know if you could
23 instead take FMLA leave. Does that ring any bells?

24 A. Yes.

25 Q. Okay. And -- and that was a call that

1 you -- who did you make that call to?

2 A. I'm not sure. I don't remember, but I
3 believe it was Sterling.

4 Q. I don't have a piece of paper to help
5 us out, so -- but anyway, you recall the call. What
6 happened with that? Did you actually turn in FMLA
7 paperwork or what did -- how did that work out on
8 your final decision?

9 A. They would -- no. No, I didn't. They
10 would not allow me to rescind my resignation.

11 Q. Did you -- but did you request the
12 FMLA paperwork?

13 A. I don't remember.

14 Q. Maybe, maybe not?

15 A. (Nodding head.)

16 Q. Is that a --

17 A. I don't remember.

18 Q. All right. What was Sterling's
19 reaction when you first talked to her about the
20 resignation, what'd she say, other than try to find
21 out why?

22 A. That was pretty much it, trying to
23 find out why.

24 Q. Let's go to Exhibit 19. Exhibit 19
25 looks like it's an email from you to Ms. Meehan on

1 February 22nd, which was your last day of work;
2 right?

3 A. Uh-huh. Yes.

4 Q. And the subject is Thank You. Could
5 you read for me the -- the content of your email as
6 you left Corizon?

7 A. Yes.

8 "Ms. Jenny, I appreciate your
9 leadership. I have been watchful and learned much
10 from your style of management. Chillicothe medical
11 department has weathered a few storms during my brief
12 time here, but the endurance, perseverance, and
13 triumph is due to the wonderful individuals who work
14 diligently and it has been a pleasure to be a part of
15 the team and to be of service. Thank you."

16 Q. And when you wrote those words, did
17 you mean them?

18 A. Completely. I would probably say --
19 no, I wouldn't probably say -- I would say this is
20 the proper way to exit a position. I guess, the
21 answer to that would be no -- or the answer to that
22 is no.

23 Q. And in particular, with regard to
24 Ms. Meehan. My understanding is she is one of the
25 many people who you believe treated you in a racially

1 discriminatory manner while you worked there; right?

2 A. Yes.

3 Q. We talked about earlier in your
4 testimony some of the materials, the orientation
5 materials, the harassment materials, all of that --
6 and we can pull out the paperwork again, but do you
7 recall that in those materials, Corizon provided a
8 compliance number where you could report issues of
9 discrimination and harassment?

10 A. Do I recall that there was a
11 compliance number?

12 Q. Yeah.

13 A. I did not recall that there's a
14 compliance number. It was quite a thick packet.

15 Q. Well, let's look at it. If you could
16 go to Exhibit 7.

17 A. You mean do I recall now looking at it
18 just now, is that what you're asking me? Maybe I
19 misunderstood your question.

20 Q. I'll ask you. You never called anyone
21 in HR or the compliance -- the Corizon compliance
22 number to report any thing that you thought was
23 harassment, discrimination or retaliation; correct?

24 A. Correct. I went to my immediate
25 supervisors.

1 Q. And we've already covered what was in
2 the document and what wasn't in the document. But at
3 any time, did you think if you were unsatisfied with
4 how your immediate supervisors were handling the
5 situation that maybe you could or should reach out to
6 someone else to see if they would help, like HR or
7 the compliance line? Did you ever think that?

8 A. No.

9 Q. Why not?

10 A. I didn't receive help, so I just
11 figured that's the way it is.

12 Q. Okay. Well, you did -- I mean,
13 although you actually weren't the one who reported
14 the Anna Barker situation --

15 A. Uh-huh.

16 Q. -- somebody else had reported that --

17 A. Uh-huh.

18 Q. But you were there. And I mean, at
19 least on that situation, there -- I mean, action was
20 taken.

21 A. Okay.

22 Q. Right? So that's one incident where
23 there was a report, action taken; right?

24 A. Okay.

25 Q. So, there -- we've discussed the --

1 MR. NUGENT: What's the question?

2 MR. MATULA: Well, she said no action
3 was taken, and that's just the way it is. And I want
4 to make sure that we're talking about things that
5 happened with regard to -- it wasn't just the way it
6 was when someone reported what Anna Barker had done.

7 MR. NUGENT: Okay. I'm going to
8 object to form. Argumentative.

9 BY MR. MATULA:

10 Q. And in terms of anything that we've
11 seen in writing, the only other report or complaint
12 of discrimination, harassment that exists in writing
13 during your employment was your email related to
14 Judy, the lab tech, right, and we've discussed that?

15 A. Yes, we've discussed that.

16 Q. And so in terms of that was just the
17 way it is and you didn't think you'd get any help, at
18 least there's no other documented situations and
19 there's no situations that you had ever gone outside
20 of the facility and had an issue that was not
21 addressed?

22 A. I did not go outside the facility.
23 The issue was not addressed within the people that
24 have been put in -- in charge, so....

25 Q. Did you believe that Karen Epperson

1 was the appropriate person to maybe take some action
2 in response to the concerns you had?

3 A. No.

4 Q. Did you ever specifically couch any
5 concerns you had with what was going on at Corizon
6 other than the lab tech situation, as being racially
7 discriminatory, harassing in any of your
8 conversations with Ms. Epperson, Dr. Epperson?

9 A. Yes.

10 Q. Okay. But do you know what action, if
11 any, that she did to help you out?

12 A. I don't know any action that she took.

13 Q. Did you expect your -- someone with
14 whom you were friendly with like Dr. Epperson to take
15 action?

16 A. I expected -- yes, I spoke with her, I
17 had spoke with the administrator, I spoke with the
18 regional medical director and no actions were taken
19 that I know about.

20 Q. Okay. Is there any way -- sitting
21 here today is there any way to recreate exactly when
22 you had these alleged conversations with the regional
23 director or any of these people? Is there any way to
24 figure out when those happened?

25 A. Sure. When I had the -- when I spoke

1 with Sterling Ream about the assistants and their
2 behavior, when I spoke with them, I also spoke with
3 the regional medical director at that time.

4 Q. That's Jerry Lovelace --

5 A. Yes.

6 Q. -- your family friend?

7 A. Yes.

8 Q. Okay. And how did Mr. Lovelace, your
9 family friend, who's been over to your house on a
10 couple of occasions, what did -- how did those
11 conversations go?

12 MR. NUGENT: Object to form.
13 Argumentative. He works for Corizon.

14 You can answer.

15 A. What was the question?

16 BY MR. MATULA:

17 Q. How did -- like when you supposedly
18 reported these things to Jerry --

19 A. I'm not sure what steps he took
20 following my report either.

21 Q. Did you ever follow-up with him, say,
22 "Hey, Jerry, what's going on? Are you doing
23 anything"?

24 A. No, I did not.

25 Q. Why not?

1 A. I made him aware of what was going on,
2 and I -- I don't know why not.

3 Q. What specifically did you tell Jerry
4 Lovelace as to what was going on?

5 A. Regarding the assistants and their
6 behavior when I am taking care of patients. That --
7 those episodes, I did share that with him.

8 Q. And -- and in fairness, he is copied
9 on some of the emails relating to the issue with
10 Judy --

11 A. Yes.

12 Q. -- the lab tech?

13 A. Yes.

14 Q. But other than lab tech situation, and
15 the assistants and how they're behaving, anything
16 else that you say you reported to Mr. Lovelace?

17 A. I -- I -- I don't recall. But I don't
18 know how many incidents are enough incidents. One is
19 too many.

20 Q. How many times did you speak to --

21 MS. JAG: I'm sorry to interrupt, but
22 the video feed just went out. I just wanted to point
23 that out. I can't see the Plaintiff. Sorry.

24 THE REPORTER: Can we go off the
25 record?

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1 MR. MATULA: Let's go off the record.

2 THE VIDEOGRAPHER: We'll go off the
3 record at 3:44 p.m.

4 (Off-the-record discussion.)

5 THE VIDEOGRAPHER: We're back on the
6 record at 4:00 p.m.

7 BY MR. MATULA:

8 Q. Ma'am, before we went back on the
9 record, the court reporter advised me we had
10 something get cut off as we were going off the record
11 last time, so I'm just -- I'm not trying to be
12 redundant, but I want to make sure we get it.

13 I was asking you about your
14 communications with Mr. Lovelace -- your
15 communication with Mr. Lovelace.

16 And I think I was asking you how many
17 times you have spoken with Mr. Lovelace about any of
18 your concerns and I'm not sure what you told me, I
19 think you were saying you broached the issue at least
20 once with him concerning the -- how the assistants
21 were behaving and acting towards you, were there
22 other -- other conversations other than the one on
23 that subject or not?

24 A. Yes, there were. The -- the one
25 regarding Judy Harkins, I did speak with him

1 regarding that one and I can't recall specifically
2 the other occasions that I spoke with him, but
3 those -- at least three times regarding -- three or
4 four times regarding those incidents.

5 Q. The lab tech and then some
6 additional -- two, three additional times about the
7 treatment and behavior of the administrative
8 assistants during examinations?

9 A. Yes. And I spoke with him twice
10 regarding the lab tech -- lab tech because this was
11 not the first --

12 Q. On both occasions?

13 A. -- incident.

14 Yeah.

15 Q. All right. And you've told me that
16 you didn't know what Jerry did or didn't do, but what
17 did he tell you during those conversations that he
18 was going to do or what did he say when you reported
19 all those?

20 A. I don't recall him telling me anything
21 specific, that he was going to do anything
22 specifically. I -- I don't recall the specifics, if
23 -- if anything at all.

24 Q. Are you -- are you critical of
25 Mr. Lovelace on how he responded to your

1 communications?

2 A. Critical?

3 Q. Yeah.

4 A. I'm not sure how he responded or
5 didn't respond, that's what I'm saying. I don't know
6 how he followed up on these complaints that I had.

7 Q. And that's because you never asked him
8 and he never proactively told you?

9 A. Correct.

10 Q. Did you think about reaching out to
11 Mr. Lovelace to let him know that you were
12 considering resigning? I mean that was -- you could
13 have done that; right?

14 MR. NUGENT: Which question are we
15 wanting to ask?

16 MR. MATULA: Yeah, that's fair enough.

17 BY MR. MATULA:

18 Q. You could have reached out to
19 Mr. Lovelace, and said, "Hey, I'm thinking about
20 turning my resignation in, unless something changes.
21 Help me out, Jerry," something like that?

22 A. That possibility, I -- I imagine, was
23 there.

24 Q. Let's look at Exhibit 20.

25 Ma'am, Exhibit 20, which is Bates

1 Numbered with Plaintiff's Bates Numbers, LaBlance 1
2 through 3. Is -- well, the front page is a photocopy
3 of an envelope, and then inside is some -- a printout
4 of some thing, some type of offender information.
5 And after I made these copies, I saw something that
6 suggested that there was some additional materials
7 that were in the package when this was sent to you,
8 including a summary order relating to your Kansas
9 nursing license.

10 Anyway, Exhibit 20 is part of what
11 Karen Epperson mailed to you that you received
12 shortly after your employment ended?

13 A. This is correct.

14 Q. And I apologize, if I had caught this,
15 I would have photocopied it together.

16 MR. MATULA: Laurel, can you pull out
17 what I think is Exhibit 4. It might already be out,
18 it's the summary order.

19 BY MR. MATULA:

20 Q. Okay. So -- so the record's clear,
21 Exhibit 20 as well as Exhibit 4 came together?

22 A. Yes.

23 Q. Okay. And on the -- this looks like
24 it was postmarked the 26th of February on that -- on
25 the letter and then the contents, at least, of

1 Exhibit 20, it's got what appears to be a person's
2 handwriting, it says, "Please do not contact me. I
3 was not aware until recently and I should have been
4 made aware, Karen Epperson."

5 And she's got this printout that looks
6 like it comes from some -- it's got an Internet
7 printout at the bottom, web.doc.state.mo -- I'm not
8 going to read the whole thing. It there has a date
9 of 2-18-2019.

10 Do you see that?

11 A. Uh-huh.

12 Q. All right. And are you familiar with
13 the -- the -- this kind of printout or this
14 information on where it says Medical Profile,
15 Offender Information, kind of the things that we have
16 here?

17 A. Yes.

18 Q. Is this something that in connection
19 with your work at Corizon you would have to look up
20 various information about patients that would be
21 contained in the same database?

22 A. Yes.

23 Q. So you know what it takes to get in
24 and pull out the records we're looking at here?

25 A. Yes.

1 Q. Okay. The -- on the top right,
2 there's something that says, "Cycle: 20120411."

3 Do you see that? The top right of the
4 second page. I'm sorry. It's Page 1 of 1 of the
5 printout.

6 A. Oh. Yes, I do.

7 Q. Do you know what that is?

8 A. No.

9 Q. Okay. What are the steps that would
10 -- that would be required to -- for someone, maybe
11 Ms. Epperson or anyone else, to pull up this
12 information?

13 A. You have to have a login. You have to
14 be -- have access to MOCIS, which is the EMR for the
15 State.

16 Q. That's the electronic medical record.

17 A. Yes.

18 Q. EMR?

19 A. Yes. And it's the EMR that is used in
20 the women's -- the Missouri women's institutions
21 only.

22 Q. And have you had any communications
23 with Ms. Epperson since she sent this to you?

24 A. No, I have not.

25 Q. I'm going to play an audio recording

1 of what's -- a voicemail that I think is a voicemail
2 message that you left on Ms. Epperson's phone. I
3 presume a cell phone, I don't know. And I'm going
4 to -- trying to figure out when you would have left
5 this message. It sounds like around the time you
6 resigned. But after you listen to it maybe you can
7 clarify that for me.

8 MR. MATULA: And in terms of marking
9 this, I don't how best to identify it is as an
10 exhibit, other than I know we'll know what the file
11 is.

12 MR. NUGENT: Can we go off the record
13 for just a second?

14 THE VIDEOGRAPHER: Go off the record?

15 MR. MATULA: (Nodding head.)

16 THE VIDEOGRAPHER: We'll go off the
17 record at 4:10 p.m.

18 (Off-the-record discussion.)

19 MR. MATULA: All right. Let's go back
20 on the record then.

21 THE VIDEOGRAPHER: Stand by.

22 We are back on the record at 4:15 p.m.

23 MR. MATULA: We've had an
24 off-the-record discussion amongst counsel and just to
25 memorialize a couple things.

1 I'm about to play an audio file, which
2 has been previously been made available to
3 Mr. Nugent, and that we will also more formally make
4 available through a production with a Bates Number
5 that we'll send to Mr. Nugent, as well Ms. Jag who I
6 forgot to send this to yesterday.

7 But my plan will be, we will somehow
8 give that a Bates Number of Corizon 9999 just so it's
9 kind of got its own unique deal. And the intent is
10 that what we are playing today, for the record
11 purposes, I don't know if we need to call it an
12 exhibit, Laurel, or just say that the file is being
13 retained by Mike -- okay, well, that's the plan.

14 So without further adieu, I'm going to
15 -- I'm going to play this and then I will have a
16 couple questions about it. I'm going to try to play
17 it.

18 THE VIDEOGRAPHER: Your speakers maybe
19 turned down from earlier?

20 MR. NUGENT: Do you want to use mine?
21 I can use mine.

22 MR. MATULA: If you have it. Do you
23 mind? I'm getting an error message. That's fine.

24 MR. NUGENT: As long as you preserve
25 that copy.

1 MR. MATULA: If you're able to play
2 it, Ivan, that would be great. I don't know what's
3 wrong with this.

4 Go ahead.

5 "Hey, Dr. Epperson -- Karen -- I'm
6 calling because you might be, like, why did
7 she not say something. I just really
8 didn't want to lose it. Because I will miss
9 you. I will miss working with you and
10 you are a friend. And so I'm not saying
11 good-bye. I'm saying I will see you soon
12 and I just appreciate you and I thank you.
13 You have been a blessing to me. And I do
14 value your friendship and hang in there.
15 You know, don't be overwhelmed. You can
16 only do so much. You're only one person. I
17 love you. I'm going to pray and continue to
18 pray for you and me and all of us. And you
19 know, there's still that opportunity to come
20 be the second token white person. Hey, give
21 me a call when you get a chance. And thanks
22 for everything, Dr. Epperson. Bye."

23 BY MR. MATULA:

24 Q. First, that is your voice leaving the
25 message?

1 A. It sounds like my sister. No, I'm
2 just kidding. Yeah, it's me. Yeah.

3 Q. All right. Am I right, that's a
4 message you left for Dr. Epperson?

5 A. Yes, I did.

6 Q. Do you know on what date you --

7 A. That was on February the 22nd.

8 Q. Okay. So that would have been your
9 last day?

10 A. Yes.

11 Q. I couldn't tell whether it was your
12 last day or whether it was like when you turned in
13 your resignation earlier in February. But you're
14 pretty confident that it was on the 22nd?

15 A. Yes.

16 Q. The content of your message where
17 you're talking about her being a friend, and you
18 know, hang in there, I love you, it's not good-bye,
19 etcetera, did you mean all of those things when you
20 said them?

21 A. When I said them.

22 Q. And that was, of course, before you
23 received the mail from her that we were looking at in
24 the last exhibit?

25 A. Yes.

1 Q. All right. Did you ever request of --
2 of Dr. Epperson that she do more to try to address
3 the problems that you were having with your -- your
4 fellow workers?

5 "Dr. Epperson, hey, is there anything
6 that you can do for me? Can you talk to someone?
7 Can you help me out?"

8 Did you ever have those -- that type
9 of conversation with her?

10 A. No, I did not.

11 Q. Did you ever consider having that type
12 of conversation with her?

13 A. I made her aware of what was going on.
14 I did not specifically say what can you do to fix
15 this.

16 Q. And when you made her aware of what
17 was going on, how did she respond?

18 A. She said, "It sounds like
19 discrimination to me."

20 Q. Do you remember her saying anything
21 else?

22 A. I should make a complaint.

23 Q. Did she ever -- did you ever talk
24 about, like, what happened? I mean, she was -- her
25 name is on the emails with Judy the lab tech?

1 A. Uh-huh.

2 Q. Presumably she knows that situation
3 and -- and did you have any additional conversations
4 with her about that specific issue, what Judy's
5 doing?

6 A. After I was told that it was a
7 misunderstanding, I did share that information.

8 Q. And -- and what was Miss -- what was
9 Dr. Epperson's response when you shared her with what
10 Jenny Meehan had -- had told you?

11 A. I don't recall.

12 Q. Fair enough. Towards the end of the
13 message you make some comment to the effect of
14 "There's still an opportunity be a second token white
15 person"?

16 A. Yes.

17 Q. It sounds -- what do you mean by that?
18 It sounds like it was an inside joke of some kind.

19 A. It was.

20 Q. What -- what are you talking about
21 there.

22 A. I had invited her to come and
23 fellowship at my church. And we had -- it's -- she
24 had made the comment that it's an all
25 African-American church in urban Kansas City, and --

1 but I did share with her that we do have one
2 consistent member, so....

3 Q. Gotcha. All right. So you were just
4 still kind of extending that joke if she still wanted
5 to show up at church sometime she was welcome?

6 A. Yes.

7 Q. All right. Exhibits 21 and 22.

8 Ma'am, you have Exhibits 21 and 22.
9 Twenty-one is a complaint on a complaint form that
10 you submitted to the Missouri State Board of
11 Registration of the Healing Arts where you're
12 reporting Dr. Epperson for what she did in terms of
13 apparently looking to your offender record through
14 the Department of Correction system.

15 And Exhibit 22 is a similar deal.
16 It's a complaint that you had made about Ms. Kirby
17 and her conduct and the last page of Exhibit 22 is a
18 letter you got back concerning Ms. Kirby.

19 Do -- do you see those?

20 A. Yes.

21 Q. Okay. Have you -- did you get a
22 result or anything back from the State concerning
23 Ms. Epperson? I see the -- I'm aware of the -- the
24 response you got to Kirby, which is the last page,
25 but I don't -- I didn't know if you ever got anything

1 back from the State relating to Epperson.

2 A. Everything I received I turned over to
3 my attorney.

4 Q. Okay. All right. It sounds like you
5 don't recall one way or the other whether they
6 responded about Epperson?

7 A. Everything I received, I turned over
8 to my attorney.

9 Q. All right. I get that. You know, and
10 I can --

11 A. So I haven't received a statement from
12 them regarding Dr. Epperson.

13 Q. Okay. I didn't know if you
14 independently remembered it, and somehow maybe I
15 missed a document or something. So that's just -- I
16 just wanted to make sure. So it sounds like you --
17 you did not get something back on Epperson?

18 A. Correct. That's what it appears to
19 be.

20 Q. Okay. Are you aware that Ms. Epperson
21 and Ms. Kirby have filed separate lawsuits against
22 Corizon relating to the end of their employment with
23 Corizon?

24 A. No, I wasn't. I was aware that
25 Dr. Epperson had; I don't believe I was aware that

1 Kirby had.

2 Q. You were aware prior to today, though,
3 that Ms. Epperson and Ms. Kirby were -- their
4 employment ended at Corizon as a result of you
5 providing information that they had accessed your
6 records by -- I'm sorry -- they had accessed your
7 records as evidenced by what Ms. -- or
8 Dr. Epperson had emailed you?

9 MR. NUGENT: Object to form.

10 MR. MATULA: That was a horrible
11 question. Gosh, it's late. That's horrible.

12 BY MR. MATULA:

13 Q. You know Epperson and Kirby both got
14 fired; right?

15 A. Yes, I'm aware of that.

16 Q. What's your understanding as to why
17 they were fired?

18 A. That there was an investigation,
19 and -- regarding my complaint and they were
20 terminated.

21 Q. The details of that, you don't know
22 the details of that?

23 A. I was not allowed to have the details.
24 I did request them.

25 Q. Here's the deal, and I mean, I'm time

1 sensitive, and I'm -- and I don't want to waste time
2 today on what is really maybe more appropriate in --
3 in case you are a -- you have to testify as a witness
4 in either of those two lawsuits.

5 But there's a -- just a couple things
6 that are alleged in the lawsuit that relate to your
7 relationship with those women and -- that I want to
8 see if you know what they're talking about. I
9 will --

10 MR. MATULA: Let's go ahead and just
11 pull out -- go with Exhibits 24 and 25, Laurel.

12 (Off-the-record discussion.)

13 MR. MATULA: Hey, Rachel, these are
14 documents that I only gave Ivan. Although she may or
15 may not have them.

16 MS. JAG: What did you say? I'm
17 sorry. I was on mute.

18 MR. MATULA: I'm sorry. I'm starting
19 to use documents I only gave Ivan, which is not on
20 purpose. Although you might have them because they
21 are the petitions in both the Epperson and Kirby
22 lawsuits, and since the Department of Corrections is
23 also a defendant in both of them, I don't know if
24 they're on -- where they're at, on your desk or
25 whatnot. But anyway that's what I'm referring, so I

1 don't have Bates Numbers for you.

2 MS. JAG: Oh. Okay. Yeah, I -- I --
3 those are not cases that are assigned to me. If
4 there's any way that you could send them over to me.
5 If not, not a problem. I'm sure I can probably ask
6 around and find them.

7 MR. MATULA: Fair enough. I -- I
8 apologize, Rachel.

9 MS. JAG: No, that's okay.

10 BY MR. MATULA:

11 Q. All right. With regard to Exhibit 24,
12 ma'am, that's -- I'll tell you that's a -- the
13 lawsuit papers that initiated a lawsuit filed by
14 Karen Epperson against Corizon Health and the
15 Department of Corrections.

16 And she does have some allegations she
17 makes about you, and so I'm just going to quickly
18 just see if you know what she's talking about or what
19 you have a say on this.

20 If can you turn to Page 5 of that
21 exhibit.

22 A. Uh-huh.

23 Q. Paragraph 20, the lawsuit states that
24 around the end of January 2019, Epperson noticed that
25 you began to exhibit unusual extremes of emotional

1 behaviors and rapidly have a change in your demeanor
2 during the day from one day to the next. Some days
3 you're able to complete your scheduled patients --
4 I'm sorry -- unable to complete your scheduled
5 patients, which was unusual.

6 Do you see that? Exhibit --
7 Paragraph 20.

8 A. Yes, I do see that.

9 Q. Do you have any idea what this
10 allegation is referring to?

11 MR. NUGENT: And I just want to state
12 an objection for the record. We'll object to
13 questioning about -- excuse me -- Exhibits 24 and 25,
14 to the extent that they are not relevant to
15 Ms. LaBlance's allegations and claims against Corizon
16 and the DOC.

17 And then also further state that there
18 will likely be an opportunity for counsel to depose
19 Ms. LaBlance as it pertains to those matters in those
20 cases.

21 But I'm not instructing her to not
22 answer, I'm just stating my objection.

23 MR. MATULA: That's fine. And -- I'm
24 not -- I don't intend to take advantage of this, but
25 there's just a couple since we've got --

1 BY MR. MATULA:

2 Q. I mean, ma'am, I know technically this
3 was filed by her attorney, but Ms. Epperson is saying
4 that she observed behavioral changes for the end of
5 January, do you know what she's talking about, was
6 that -- were you going through behavioral changes or
7 things of that sort during that time?

8 A. Behavioral changes? My mother passed
9 away on December the 30th, so I probably had some
10 mood changes. I don't know about behavioral changes,
11 and there was one day that was particularly difficult
12 that I did go home.

13 Q. And I think that might be referred to
14 in Paragraph 22. And at least as the way this
15 lawsuit alleges, it says, "On or about February 8th,"
16 she says that you exhibited strange and erratic
17 behaviors towards Sterling Ream that supposedly
18 caused Epperson to have concerns about personal
19 safety and your well being and that you suddenly left
20 the department and went home, is that the day you're
21 talking to -- about?

22 A. I don't remember it that way, but
23 perhaps that's what she's trying to describe.

24 Q. What happened on this one difficult
25 day that you were mentioning, like what happened

1 there?

2 A. I came to work and I could not stop
3 crying so I went to the HSA's office and told her
4 that I did not feel I should be at work that day, and
5 please cancel my patients and I was going home.

6 And it didn't appear to be a problem
7 with the administrator. She was aware that I had
8 just recently lost my mother.

9 Q. Sure. And I imagine that was a --
10 understandably, a very difficult time.

11 As I understand at no time during your
12 employment did Ms. Kirby or Dr. Epperson ever say
13 anything to you suggesting they were concerned about
14 your ability to provide competent professional care
15 to patients?

16 A. No.

17 Q. All right. And that was a double
18 negative. They never -- they never said anything
19 like that while they worked with you, did you -- or
20 did they?

21 A. No.

22 Q. And in fact, and I know this is
23 completely unfair going backwards, but Exhibit 14. I
24 forgot to ask you about the peer review, I think,
25 that Karen Epperson gave you.

1 Do you recognize that, ma'am?

2 A. Yes, I do.

3 Q. And it's entitled Provider Peer Review
4 Questionnaire. I mean, it's kind of an evaluation of
5 sorts, and it looks like Karen Epperson wrote this
6 out on June 14, 2018.

7 A. Uh-huh.

8 Q. And do you remember receiving this or
9 talking it over with Ms. Epperson?

10 A. Yes, I do.

11 Q. Okay. I just want to make sure that
12 that's your -- you didn't dispute that was what your
13 review was.

14 Tell me what -- you mentioned Shannon
15 Burris a couple times, and I think you indicated she
16 called you at some point after you had left, but we
17 never got into what those conversations consisted of.
18 Can you tell me about that?

19 A. She called me and said that -- that
20 Dr. Epperson and Val Kirby had been terminated, and
21 removed from the premises at the Department of
22 Corrections, and that she thought that I should know
23 why. And what had been going on around me, about me,
24 for quite some time. And she told me about the
25 information they had downloaded and printed off, and

1 disseminated with the entire medical staff and
2 whoever else, I guess, would stand still long enough
3 to look at it. And she said she just felt that I
4 needed to know.

5 Q. All right. And -- and I think you did
6 tell me something, that you talked to Burris and she
7 had said there were some things going on for awhile.
8 But have we now covered everything that you discussed
9 with Shannon Burris as it relates to any of the
10 claims in your lawsuit?

11 A. Yeah. Yes, I would say so.

12 Q. And if there's more specifics, let me
13 now, otherwise, I think I've got the gist.

14 A. Okay.

15 Q. Is there anything else that you
16 remember?

17 A. No. No.

18 Q. You had your job at the wound care
19 business, I guess, lined up when you left, how long
20 did you stay employed with them?

21 A. I resigned day three.

22 Q. And why did you do that?

23 A. That particular position required a
24 lot of travel outside of the Kansas City area that I
25 was not aware of and that was travel on a daily basis

1 to multiple different facilities. And --

2 Q. And they didn't tell you that ahead of
3 time?

4 A. No, not that I was going to be
5 traveling that far out of the city.

6 Q. Okay. In terms of other employment
7 you've had since your -- I think this is in your
8 interrogatory, but -- but after the wound care job,
9 what -- where did you work next?

10 A. I went to work as an interim director
11 of nursing in a home health agency in Beth- -- at
12 Bethlehem Home Health Agency, and I also went to work
13 as a part-time nurse practitioner in a private
14 practice clinic.

15 Q. And why did -- what were the
16 circumstances of your employment with Bethlehem
17 ended?

18 A. When they -- they no longer needed me.

19 Q. Was it like a layoff or how would you
20 describe it? What were you told?

21 A. Yeah, they were going to discontinue
22 that particular part of their -- their company, so
23 they were no longer going to need someone in that
24 position over the Medicare part.

25 Q. And then you did some work for the

1 Center for Women's Health and Wellness?

2 A. Yes.

3 Q. What's that?

4 A. It's an OB-GYN clinic, a women's
5 health clinic.

6 Q. And -- and then what -- why did you
7 move -- how did that employment end?

8 A. He temporarily lost his license to
9 practice.

10 Q. Oops.

11 A. Oops.

12 Q. So the provider you were working with
13 lost his license, and so then was your next
14 employment after that the Grand Pavilion?

15 A. Yes.

16 Q. Okay. Ma'am, I know this is going to
17 be kind of an opened-ended question, just do the best
18 you can in describing it.

19 You are seeking monetary damages as
20 part of this lawsuit for not just economic pieces but
21 you say your lost salary from your job change and
22 whatnot but also various noneconomic things.

23 And so I'm going to ask you, in terms
24 of how -- working at Corizon and -- and the
25 circumstances of all of that, how -- what do you want

1 the jury to know in evaluating your claim for
2 monetary damages beyond wages?

3 MR. NUGENT: I'll object to form.

4 MR. MATULA: I'll try it again.

5 BY MR. MATULA:

6 Q. You're seeking recovery for mental and
7 emotional stress damages, you understand that, right,
8 that's part of the lawsuit claim?

9 A. Yes.

10 Q. Okay. Tell me what -- to you what
11 those are, and what you want the jury to know as they
12 decide whether and how much money to award to you for
13 that?

14 A. Okay. The depression. The fear.
15 There was a fear of -- because I saw things changing
16 and getting worse, and not quite sure what was going
17 on, what the motivation was, other than why -- why
18 all of a sudden did things get worse. You know, it
19 was one way, it got worse, and then it just continued
20 to get worse.

21 And so I suffer from depression, that
22 fear, mistrust of others in other situations. I've
23 had to be -- to, you know, take medications to sleep
24 and, you know, anxiety medications and, you know,
25 I've gained 30 pounds. I -- it affects my

1 relationships with new co-workers and new
2 relationships that I am trying to cultivate. It has
3 affected the -- I would say, like the pace of my
4 career path.

5 And I -- I -- the lasting effects of
6 this, I think, are surprising even to me. That it's
7 damaging even today. Because of the things that I
8 went through.

9 Q. When you say in terms of the
10 depression, fear, affecting your sleep, everything
11 else you described, would you say it is better, worse
12 or the same today as it was when you resigned in
13 February of 2019?

14 A. I don't know if I would classify it as
15 either better or worse. I'm learning to manage it a
16 little bit better. I'm learning to manage it a
17 little bit better.

18 I feel a little hypersensitive to
19 different situations when I'm around -- you know,
20 other folks and co-workers, in different situations,
21 you know. Because I don't feel like I can trust
22 things at face value and that's a hard way to deal
23 with things on a day-to-day basis.

24 Q. Well, do you think that -- that some
25 of the emotional affect that you've described in

1 terms of either depression, sleep, whatever,
2 especially around the time of your resignation and
3 immediately thereafter, do you think some of that
4 might have been the lingering effects of losing your
5 mother?

6 A. I can't discount that, but I don't
7 think that's the root cause. I mean, I worked -- my
8 mother was my mother. But I worked for years to
9 obtain an education, to go to college, you know, to
10 -- to go back, get a nursing degree. To go back, get
11 a master's degree. To get a certification. I did
12 the training. I did the work. I put in the time to
13 turn my life around from what it had been, and this
14 situation has been very difficult. To be treated
15 less than, to be plotted against, and to fear going
16 to work because of what might transpire that could
17 potentially damage my ability to make a living,
18 because someone doesn't like the color of my skin.
19 That -- that was a real fear.

20 Q. What's -- do you have something --

21 A. For instance --

22 Q. -- specific in mind --

23 A. Yeah, I do.

24 Q. -- in terms of the damaging situation?

25 Okay. Tell me.

1 A. And it was towards the end, maybe
2 in -- maybe this was December as well, December or
3 January. We have to get sharps from the nurses,
4 because they're locked up. And I needed a scalpel
5 and a suture kit to do a procedure. And I didn't
6 have an assistant, I didn't need one, I was removing
7 Implanon out of someone's arm. So just a little
8 birth control device, you just, you know, remove it.

9 And so when I asked for the supplies
10 and the scalpel, she brought them to me, and
11 unbeknownst to me, apparently she left the entire box
12 of scalpels on my desk, pushed back into my books
13 where they weren't sitting out where I could see
14 them.

15 She comes back later when I take her
16 the instruments and said, "Oh, I came. I knocked on
17 the door." I didn't hear anything. It was just me
18 and the patient in there. She didn't knock. I
19 didn't hear it. She said the door was locked. No,
20 it wasn't. See, I checked the handle. It wasn't.

21 And then there was a little comment
22 made between her and Dr. Epperson about "She doesn't
23 have a clue." And this was in my presence. And I
24 spoke not a word, but that was a situation I believe
25 that was intentional, because something like that

1 could have gotten me fired. When you're fired, you
2 turned into the board. Okay. And that is
3 jeopardizing my ability to make money. And I should
4 not have to work like that.

5 Q. Who was this person again?

6 A. That was Megan -- not Megan Rex, Megan
7 Brown and Dr. Epperson.

8 Q. You thought Dr. Epperson was part of a
9 scheme to set you up to maybe --

10 A. Dr. Epperson is the one who said "she
11 doesn't have a clue."

12 The girl is behind me,
13 Dr. Epperson is in front of me. Dr. Epperson is
14 looking over me at her.

15 Q. If you really thought someone was
16 setting you up to where you could lose your job and
17 -- and any other career things that would, you know,
18 stem from that, why wasn't that reported to anyone?

19 A. I resigned. I -- I couldn't stay.
20 They made it such that I had to leave because I was
21 fearful. I had made -- I had shared the issues that
22 were at hand with the people that I thought were
23 going to do what needed to be done to rectify that.
24 And it wasn't done. And the situation continued to
25 escalate.

1 Q. I mean, you just described a situation
2 where I think for the first time you've indicated
3 that while you were employed, Dr. Epperson was
4 involved in an incident that you felt that she's
5 trying to jeopardize your career and get you unfairly
6 fired.

7 That's the -- I think that's the first
8 time I've heard anything about you saying
9 Dr. Epperson -- that you were aware of Dr. Epperson
10 doing anything while you were employed. Have I
11 missed anything else with regard to Dr. Epperson's
12 conduct that you had -- that you attribute to her
13 doing something while you still worked there?

14 I mean, that -- that seems like pretty
15 strong. We listened to that voicemail message, where
16 you tell her you have a friendship and you love her,
17 and you're inviting her to church.

18 A. Uh-huh.

19 Q. I mean, if you really felt that
20 Dr. Epperson had not that long ago set you up to lose
21 your job and professional license, why go through the
22 trouble of leaving her that voicemail message?

23 A. One, because she would be a reference
24 for me for future employment; two, because it's the
25 professional thing to do; three, because there was --

1 I did believe -- I did not want to believe that she
2 was part of this situation, and after looking at this
3 that you've given me here in Exhibit Number 24,
4 everything that came to pass is here.

5 And these things were intentionally --
6 the -- the force behind them was intentionally
7 left -- what's the word I'm looking for? -- hidden,
8 shall we say. Does -- do you understand what I'm --
9 how I'm answering this question? So --

10 Q. I'm not exactly sure, but I got the
11 gist that I think -- I think the substance of your
12 answer is, you left the voicemail message because you
13 thought it was the professional thing to do and you
14 might need her for a reference down the road?

15 A. That's one reason. You don't burn
16 bridges when you may need help or you may need a
17 reference.

18 Q. There's a difference between burning a
19 bridge, and saying, yeah, I appreciate working with
20 you, etcetera, and telling somebody that your
21 friendship, I love ya and come to church.

22 I mean, that seems like -- that's a
23 little bit different. And I guess I was just -- I
24 was just seeing if there was anything else that you
25 wanted to tell the jury about why you left that

1 message if, you know, you really thought that
2 Epperson was trying to set you up?

3 A. I didn't want to admit that she was
4 part of that. And I'll reiterate that again. I
5 didn't want to admit that she was part of it. And --
6 until I had to.

7 Q. Do you entertain the possibility that
8 there's maybe any chance whatsoever that the -- the
9 interactions you had with some of your co-workers,
10 the administrative assistants or the lab tech or this
11 person with the sharps, any of that, do you allow for
12 the possibility that whatever the problem was, it was
13 maybe something other than race?

14 MR. NUGENT: Object to form.

15 You can answer.

16 A. Initially, I -- I wanted to try and
17 find another reason, but I could not and so I -- I
18 don't enter -- I don't try to think that it could be,
19 because I'm doing the same thing as my colleagues. I
20 come to work, I do my job, I take care of people.
21 I'm -- you know. And so the only thing left is --
22 the one difference was -- is -- is the color of my
23 skin.

24 BY MR. MATULA:

25 Q. Is there anything else with regard to

1 the -- your emotional stress for which you're seeking
2 damages that you'd like the jury to know that you
3 haven't already told us?

4 MR. NUGENT: Object to form.

5 You can answer.

6 A. Just the stress that this has caused
7 in my life, in my marriage, in my home, in my
8 finances, in my personal and professional life.

9 BY MR. MATULA:

10 Q. There's a couple more details there I
11 have to ask about more specifics. In terms of your
12 difficulty in your home and your finances, what do
13 you mean by that?

14 A. Well, I went from making a salary that
15 afforded me to be able to do some things to making
16 half that salary. And, you know, that affects things
17 when you're finances are affected.

18 Q. Any other details that you'd like the
19 jury to know about your finances being affected or
20 any more specifics other than what you just said?

21 MR. NUGENT: Object to form.

22 You can answer.

23 A. Any other -- I'm sorry.

24 BY MR. MATULA:

25 Q. Again, I'm just trying to see if

1 there's more details that you intend to share with
2 the jury on this. If there are, I'd like to hear
3 about them now; if -- if -- if not, or that's a
4 sufficient description, then that's fine.

5 MR. NUGENT: Same objection.

6 A. I don't -- I don't believe there's
7 anything else.

8 BY MR. MATULA:

9 Q. In terms of emotional distress and
10 those -- and that -- let me back up.

11 In terms of emotional distress for
12 which you're seeking recovery, do you have an idea in
13 terms of what an appropriate dollar value is to
14 compensate you for those injuries?

15 MR. NUGENT: Object to form.

16 A. I believe that it's listed -- or
17 actually it's been presented by my attorney.

18 BY MR. MATULA:

19 Q. Do you know what specific document
20 that you're referring to?

21 A. Let's try Exhibit 1.

22 THE VIDEOGRAPHER: Do you want to go
23 off the record?

24 MR. MATULA: No. It won't take that
25 long.

1 THE VIDEOGRAPHER: Do you have your
2 mic?

3 BY MR. MATULA:

4 Q. How about we do this, if you don't
5 have a number that you're comfortable to give me
6 here, but you're going to defer whatever's in the
7 papers that might have been submitted by attorney --

8 A. Yeah, that's fine.

9 Q. -- can I rely on that?

10 A. That's fine.

11 Q. Okay. And just wrapping up my list.

12 I'm trying to get a list of, again,
13 everybody who you associate with Corizon, that you
14 believe mistreated you or did something wrong towards
15 you based on race, discrimination or retaliation.

16 Epperson, Corbin, Hild, Kirby,
17 Sterling Ream, Crystal, April, whoever was with
18 Dr. Epperson with the sharps incident.

19 A. Megan Brown.

20 Q. Megan Brown. I actually have Anna
21 Barker. Who else am I missing? Is there anybody by
22 name --

23 A. Tammy Christopher.

24 Q. -- that you can give by name?

25 Wait. Okay. Yeah. You gave me

1 another list.

2 The sick call nurse, Tammy
3 Christopher, the -- the red-headed girl, I think that
4 was your language. Stuever?

5 A. Stuever.

6 Q. Stuever?

7 A. Rachel Stuever.

8 Q. Rachel Stuever. Jenny Meehan.

9 A. And Shelby.

10 Q. And Shelby. Okay.

11 Anybody else on the list of bad guys,
12 so to speak?

13 A. Not that I can recall at this time.

14 Q. Was there -- was there anybody in a
15 management position that you interacted with that you
16 don't feel in some way treated you unfairly because
17 of your race?

18 A. That I interacted with, no.

19 Q. Okay. I appreciate your patience. I
20 know it's been a long day. I know Ms. Jag has some
21 additional questions, but before I conclude my part
22 of the record, I would just ask, is there anything
23 else that -- is there any changes you'd like to make
24 based on -- about any part of the testimony you've
25 given?

1 A. No, not at this time.

2 Q. Well, this is kind of the best time.
3 It's going to happen -- it -- it better happen now
4 than later. I'm not fishing for anything, I'm just
5 saying before I end my part of the proceedings,
6 anything else that you can think of that you want to
7 change, correct, expand on? Anything?

8 A. No, I -- I don't believe so at this
9 time.

10 MR. MATULA: I appreciate your
11 patience and that's all the questions I have at this
12 time.

13 One question. Did we ever get medical
14 record authorizations back?

15 MR. NUGENT: We can talk about it off
16 the record.

17 MR. MATULA: Okay. I would just put
18 on the record I want to talk to Mr. Nugent about,
19 we'd sent some medical record authorizations. I
20 don't know if we've had time to get those back yet.
21 I don't know if that would be grounds for further
22 questions or not until I see something, but I'm
23 noting that subject to that notation that we might
24 have to discuss, I don't have any further questions
25 at this time.

1 Thank you.

2 MR. NUGENT: Let's -- let's take a
3 break. Rachel -- I'm sorry.

4 THE VIDEOGRAPHER: Go off the record?

5 MR. NUGENT: Yeah.

6 THE VIDEOGRAPHER: We'll go off the
7 record at 5:02 p.m.

8 (Brief recess taken.)

9 THE VIDEOGRAPHER: Stand by.

10 We are back on the record at 5:12 p.m.

11 EXAMINATION

12 BY MS. JAG:

13 Q. Okay. Mrs. LaBlance, my name is
14 Rachel Jag, and as I said earlier today, I am
15 representing the Defendant, the Missouri Department
16 of Corrections in this lawsuit.

17 And just to recap on a few things you
18 discussed today, which by the way, I thank you very
19 much for your time and your patience today with all
20 of our questions that we have.

21 Could you please repeat the title of
22 your position that you had while you worked with
23 Corizon?

24 A. I was a nurse practitioner, women's
25 health nurse practitioner there at Corizon.

1 Q. And --

2 A. Assigned to Chillicothe.

3 Q. Chillicothe?

4 A. Yes.

5 Q. Okay. And had you worked at any other
6 facility other than Chillicothe?

7 A. No, ma'am.

8 Q. And had you been a nurse practitioner
9 anywhere else prior to working with Corizon at the
10 Chillicothe Correctional Center?

11 A. No, ma'am.

12 Q. And I believe you said earlier that
13 you were recruited for this position. Who was it
14 that recruited you?

15 A. Michael -- I want to say his last name
16 was Carter? Michael -- his first name was Michael.
17 He was a recruiter.

18 Q. Okay. And -- and do you know who he
19 was a recruiter with?

20 A. He was a recruiter with Corizon, I
21 believe.

22 Q. And do you know roughly when it was
23 that he had reached out to recruit you?

24 A. The first of May, in 2017. Around the
25 first -- end of April, first of May.

1 Q. Okay. And then you started working
2 roughly in June of 2017; is that right?

3 A. That is correct.

4 Q. And who were your superiors and --
5 and/or supervisors, I guess, while you worked at
6 Chillicothe?

7 A. The onsite medical director is
8 Karen -- was Karen Epperson, the regional medical --
9 assistant director was Mr. -- Dr. Bredeman, and the
10 regional medical director was Dr. Jerry Lovelace, and
11 then, of course, we had Jerry -- Jenny Meehan who was
12 the regional clinical director.

13 Q. So did you have to verify or confirm
14 any course of treatment that you were pursuing for
15 any of your patients with these supervisors?

16 A. I did not have to verify treatments,
17 no.

18 Q. Did you ever have to report treatment
19 to anyone who was employed by DOC?

20 A. I didn't have to report treatment
21 decisions that I made on a daily basis, but my charts
22 were to be reviewed, approximately 10 percent on a
23 monthly basis.

24 Q. And before going to work at this
25 facility, you had received a degree or a

1 certification to become a nurse practitioner; is that
2 right?

3 A. Yes. Both of those, a degree and a
4 certification.

5 Q. And would you agree that this
6 profession allows you to work in a variety of
7 settings and not just correctional centers?

8 A. That is correct.

9 Q. And when you were hired to be a nurse
10 practitioner at Chillicothe Correctional Center, were
11 you provided with any training on your day-to-day
12 work?

13 A. On my -- I'm sorry. Can you repeat
14 that?

15 Q. Your day-to-day work.

16 A. I would say that is no. No, I was
17 not.

18 Q. You weren't provided any training
19 working there?

20 A. On my day-to-day? No.

21 Q. Yes, ma'am.

22 A. I -- no. Not on my day-to-day. No.
23 Not -- not there onsite that's what you're asking me,
24 if I understand correctly. Is that --

25 Q. Yes, ma'am. Sorry.

1 A. Was there someone onsite that gave me
2 training how to be a nurse practitioner while I was
3 onsite at Chillicothe, that's what you're asking me?

4 Q. Correct.

5 A. No.

6 Q. Yes, ma'am.

7 So when you first started your
8 position there, how did you know what to do every
9 day?

10 A. Because I am a nurse practitioner and
11 I have been trained.

12 Q. Well, I mean -- what I mean -- I'm
13 sorry.

14 What I mean by that is, how did you
15 know where to go to get medical equipment or to go
16 see patients or where to put test results, etcetera?

17 A. I would ask. Okay. Let me --

18 Q. So who did you first -- who did you
19 first report to on your first day?

20 A. Okay. So the medical -- the onsite
21 medical director and for some reason her name escapes
22 me. She wasn't there very long. I think she left in
23 August. So the medical director that was there, I
24 spent -- I did spend my first 30 days watching her
25 interactions with patients, is that what you're

1 asking me?

2 Q. Yes, ma'am.

3 A. Okay.

4 Q. And was she also an employee of
5 Corizon?

6 A. Yes.

7 Q. Did you ever have to shadow anyone who
8 was an employee of DOC?

9 A. No.

10 Q. Did your work --

11 A. Well -- well, let me back up on that.
12 I did not have to shadow, however, one of the
13 sergeants did come and take me on a tour of the
14 grounds, yes.

15 Q. Okay. And did you ever -- did your
16 work ever interact with the -- did your day -- I'm
17 sorry. Strike that.

18 Let me rephrase here. To your
19 knowledge, who provided you with the medical
20 equipment that you needed to use on your job each
21 day?

22 A. The Department of Corrections supplied
23 me with my badge, my badge number and the keys that
24 were issued to me upon entering the facility and gave
25 me access to the medical department, that was the

1 Department of Corrections and if it's -- if I'm not
2 mistaken, it's the Department of Corrections that
3 also supplied all of the supplies that I used on
4 pretty much a daily basis to see patients, the
5 equipment, the supplies. You know, cotton swabs,
6 Band-Aids®, whatever, as well as the facility itself.

7 Q. So that's your knowledge -- to your
8 knowledge --

9 A. Yes, to my knowledge.

10 Q. -- it's the Department of Corrections
11 that supplies all that?

12 A. Yes.

13 Q. Okay. And you said earlier that you
14 -- to begin -- to begin your employment, there had to
15 be a background check before you could enter the
16 grounds; is that right?

17 A. Yes, that's my understanding.

18 Q. And could you elaborate a little bit
19 more on what you mean by "background check"?

20 A. I mean checking my credentials and
21 checking my background as far as a criminal history,
22 anything like that, my educational history, my work
23 history, those types of things, and my licensure
24 history.

25 Q. And -- and do you know who evaluated

1 this?

2 A. No, I do not.

3 Q. And then you also had to go through
4 scanners each day to enter the facility, did you not?

5 A. Yes, I did.

6 Q. And everyone had to go through the
7 scanners to enter into the facility; right?

8 A. To my knowledge, that is correct.

9 Q. And when you were paid, where did your
10 paycheck come from?

11 A. I -- it came from Corizon.

12 Q. Okay. And who were your employment
13 benefits through?

14 A. Through Corizon.

15 Q. And whenever you needed to ask off
16 work who did you have to request this from?

17 A. From the administrator of the clinic
18 which is Corizon.

19 Q. And I remember you said earlier that
20 your scheduling was controlled by a woman named
21 April; is that right?

22 A. For a period of time, yes, that is
23 correct. My patient's schedule.

24 Q. And what was her -- what was her
25 title?

1 A. She was actually the x-ray technician.

2 Q. And she was a medical provider or
3 someone who was also employed with Corizon?

4 A. Yes, she was employed with Corizon.

5 Q. Okay. Now, I wanted to look back at
6 Exhibit 1, your original complaint if we could go
7 there briefly.

8 Referring back to, I believe it was 7
9 through 9, was your draft of your complaint.

10 MR. NUGENT: Rachel, I want to make
11 sure we're talking about the same thing. Pages 7
12 through -- 7, 8, and 9.

13 MS. JAG: Oh, I'm sorry. Yeah --
14 Exhibit -- Exhibit 1, I believe, isn't it 15 pages?

15 MR. NUGENT: The exhibit may be, but
16 specifically I think you're referring to her
17 discrimination complaint; is that right?

18 MS. JAG: Yeah, that is right. I'm
19 sorry.

20 MR. NUGENT: That's okay.

21 BY MS. JAG:

22 Q. And going down roughly to -- I think
23 we're at the top of Page 8, beginning there -- or I'm
24 sorry. I want to go down to the last paragraph,
25 Page 8.

1 You said you began to feel uneasy and
2 you felt that there was unwarranted watchfulness; is
3 that right?

4 A. That is correct.

5 Q. And this came from DOC custody
6 officers?

7 A. That is correct.

8 Q. Do you know the identity of any of
9 these DOC custody officers?

10 A. One such officer would be Officer
11 Ellis, who was the first officer that I would see
12 upon entering the facility.

13 Q. Were there any other officers or was
14 it just Officer Ellis?

15 A. No, there were other officers, but I
16 do not recall their names. They were the officers
17 primarily assigned to medical during the day, and
18 there were one or two in ASAG that were assigned to
19 administrative segregation unit, where I saw patients
20 once a week or once every other week.

21 Q. And what did they do that made you
22 feel like they were unwarrantedly watching you?

23 A. I -- as I would bring my belongings in
24 to set them through the scanner, there was quite a
25 bit of attention paid to what was in my -- in my bag

1 to the point in calling out the items that show up on
2 x-ray.

3 However, I personally witnessed and
4 I'm sure it's on video somewhere, if someone would
5 like to pull it up, that during the same time there
6 was another Caucasian female that usually arrived at
7 work about the same time I did. And he would
8 literally turn his back to the scanner as her
9 belongings went through. That's a little
10 discriminatory -- or no, that is discriminatory, let
11 me correct that.

12 Q. Did you see them -- on any other day
13 that you were working there, did you see them look
14 through anyone else's purses when they were going
15 through the security scanner?

16 A. Not -- no.

17 Q. You never saw the security officers
18 looking through anyone else's purses or bags as they
19 were entering the facility?

20 A. Looking through? I mean, everything
21 went through the scanner. How much attention they're
22 paying to the scanner is the question. That was the
23 difference that I noticed, and calling out the items
24 that were in my bag such as one particular time there
25 was an umbrella and all he could see was spike from

1 the -- the spikes and didn't know what that was, and
2 definitely made it a point to call that out.

3 Q. And when he looked at your umbrella,
4 did -- was there any follow-up reaction?

5 A. When he discovered it was an umbrella,
6 then he -- you know, we continued on -- I continued
7 on.

8 Q. And so that was one instance, were
9 there any other instances like that?

10 A. It was a routine practice to make sure
11 that there was close attention paid to the -- to my
12 belongings. The lady that usually entered the
13 facility approximately the same time I did every day,
14 I watched -- I watched this go on, where her bags
15 just kind of went through, while he's having
16 conversations with other people, but when it's time
17 for my bag to go through, he is intent and alert, and
18 focused on the x-ray machine.

19 Q. Do you know the identity of the woman
20 who you said goes through regularly -- or did go
21 through regularly every day?

22 A. She was one of the -- she was one of
23 the folks that worked over in the mental health area.
24 I don't remember her name.

25 Q. Did you ever report when you felt

1 uneasy or that you felt watched, did you ever report
2 that to anyone?

3 A. No, I did not.

4 Q. Why not?

5 A. I -- I don't have an answer.

6 Q. Did you -- or at one point -- I'm
7 sorry. I'm moving back to the paragraph on
8 Exhibit 1. You discussed that in the final months of
9 your employment, you watched some of the officers
10 huddle together and spying on you. Could you
11 elaborate a little bit further about that incident?

12 A. I'm not sure which incident -- are you
13 referring to an incident on the complaint?

14 Q. Yes, ma'am. On Page 8, the last
15 paragraph, and it's kind of in the middle.

16 A. That particular day, I was seeing
17 patients in ASEG, in administrative segregation, and
18 there were -- and I -- which I had done for some time
19 during my employment there. This particular day
20 there were five or six, what they call, white shirts
21 right outside the exam room, and there was one right
22 at the doorway, and if I moved to listen to my
23 patient's lungs, they moved where they could see.
24 They were -- it was -- it was made obvious that they
25 were watching every move that I made. It was just

1 obvious, but I was there to do a job.

2 Q. And your patient was an inmate; is
3 that right?

4 A. That is correct.

5 Q. And moving further down into the
6 paragraph, you -- and you also discussed this
7 earlier, I believe. You discussed some custody
8 officers coming in to patient appointments sometimes
9 when the door was closed. Roughly how often did that
10 happen?

11 A. The time that I'm referring to
12 specifically here, this particular time, there was no
13 knock, no warning.

14 If it was count time, they would, of
15 course, knock and open the door, or crack the door,
16 but this particular day, I guess they just felt that
17 they -- that wasn't -- that did not happen, I'll put
18 it that way. That did not happen.

19 And before I knew it, there was a
20 custody officer standing in the office almost next to
21 me while the patient is disrobed and I'm in the
22 middle of an exam.

23 Q. And did he say why he was there?

24 A. I believe he wanted to know -- I don't
25 specifically recall, but I believe he wanted to know

1 what the patient's name was.

2 Q. And you said he came in without
3 knocking?

4 A. Correct.

5 Q. Okay. Now, during your employment
6 with Corizon at the Chillicothe Correctional Center,
7 did you make friends or have any type of friendly
8 relationship with any of the Department of
9 Corrections employees?

10 A. I was cordial. I don't know -- I
11 mean, it was a working relationship.

12 Q. Did you have to interact with them
13 often, other than just them bringing the patients to
14 you, the inmate patients or you going through
15 security?

16 A. Ask that question again, please.

17 Q. Other than walking through security in
18 the morning or the officers bringing patients to you,
19 did you ever have to work with or interact with those
20 individuals?

21 A. There were individuals assigned to
22 medical that I interacted with on a daily basis. I
23 don't remember their names, but....

24 Q. Okay. Well, we can move on to our
25 discovery. Do you have responses to our discovery

1 requests and I would like to label that, I guess,
2 Exhibit --

3 MS. JAG: What was the highest number
4 that we went to?

5 THE REPORTER: We marked up to 25, so
6 do you want me to mark this 26?

7 MS. JAG: That'd be great, if you
8 don't mind.

9 THE REPORTER: No problem.

10 (Whereupon, LaBlance Deposition Exhibit
11 Number 26 was marked for identification
12 by the reporter.)

13 BY MS. JAG:

14 Q. I just briefly want to touch on this.
15 Going back to your responses to our interrogatories.
16 I just wanted to clarify, to Question 8, when we
17 asked if you could identify any and all individuals
18 whose actions subjected you to discrimination based
19 on your race, a hostile work environment based on
20 your race, and retaliated against you and with
21 respect -- and with respect to such individuals state
22 the following.

23 And we asked for the name of the
24 individual, the date of any action or statement that
25 subjected you to such racial discrimination, racial

1 harassment and retaliation, and identify any
2 documents related to the action.

3 You mentioned in here that you were
4 subject to systematic targeting and suffered
5 treatment at the hands of DOC staff, can you
6 elaborate a little bit more as to what you mean on
7 that?

8 A. Well, one such example is -- of the
9 targeting is when I speak of coming through the x-ray
10 that was such targeting.

11 There were -- then there's the -- you
12 know, the incidents of sort of -- not sort of, but
13 where there was an increased watchfulness of what I
14 was doing during appointments with patients in my
15 office, or if I was in my office alone.

16 There were times -- there was one
17 particular time that one of the officers brought by a
18 new hire that was a custody offer -- officer, and
19 pointed to me -- they were standing in the hall and
20 said, "that's her right there."

21 I never looked up from my computer,
22 but I heard what they said. So it was like I was on
23 display or something of that nature.

24 Making sure that if I was leaving,
25 that I was not leaving the facility without being

1 escorted. All of a sudden just somebody would appear
2 out of nowhere walking on the same sidewalk. I don't
3 know where they came from.

4 Out in the yard where everything else
5 had been shut down, you know, there was no one else
6 on the yard but me leaving the facility. Things like
7 that would occur.

8 Q. There's a little bit to unpack there,
9 that I wanted to discuss first, in regards to the
10 scanner incident, that happened one time with the
11 umbrella, was there any other time or how often, if
12 it happened multiple times, would you say that you
13 had that incident with the scanner and with officers
14 as you entered the facility?

15 A. I would say, not necessarily calling
16 out what was in my bag, but the watchfulness with
17 which my bag was examined under x-ray was a
18 deliberately more intent -- more intensive or -- I
19 would say intensive than it was others, because I
20 could watch them if they went in front of me, I can
21 watch how things were happening and then what
22 happened as -- as I went through.

23 Q. Do you normally carry a big purse or
24 is it a small purse?

25 A. I carried a bag, it was a see-through

1 bag which we were required to have to carry my
2 personal items in and out of the facility.

3 Q. And everyone has to put their items on
4 the scanner; is that right?

5 A. That's my understanding, yes.

6 Q. Okay. And moving on to what you were
7 saying before about when they were showing a new hire
8 around, and you said that they pointed you out at
9 some point when you were sitting behind a computer;
10 is that right?

11 A. Yes.

12 Q. And did you ask for clarification as
13 to why they were pointing at you?

14 A. No, I did not. There wasn't --

15 Q. Did you know the -- the officer that
16 was walking the new hire around?

17 A. It was one of the officers that had
18 been there. I couldn't tell you exactly which one it
19 was at this time, but it wasn't a situation where,
20 "Oh, I want to introduce you to this person"; it was
21 more or less "that's the one we're talking about."
22 Yeah.

23 Q. And did you hear him say those exact
24 words?

25 A. Yeah.

1 "That's her there."

2 Q. And lastly, you mentioned someone
3 walking you out to your car, is that -- you
4 mentioned, you said, people were watching you as you
5 exited the building?

6 A. Not out to my car, but from medical to
7 the airlock, while I was on the grounds. It just
8 seemed like someone just always appeared.

9 Q. Would you agree that maybe they were
10 doing that for your safety?

11 A. No. There was no one else out. And
12 they didn't say they were doing that for my safety.

13 Q. Did they -- did they ever speak to you
14 when they came and walked outside with you?

15 A. No.

16 Q. Then I'd like to go back to your
17 interrogatories and move down to Number 16, if you
18 will. In this question we asked you to identify
19 every other person who you believe that the
20 Defendant, being us, the Missouri Department of
21 Corrections, or our agents/employees discriminated
22 against, retaliated against, or created a hostile
23 work environment for, and to talk about the details
24 of these alleged incidents, when they occurred and
25 any witnesses that you know witnessed those events.

1 You said there were individuals who
2 worked in the kitchen area of the facility where you
3 worked, you suffered the same treatment; is that
4 right?

5 A. What I know about the female -- the
6 African-American female officer that worked in the
7 kitchen and she was the only one.

8 Q. And what about her treatment was the
9 same as your treatment?

10 A. She was the only one.

11 Q. The only one what?

12 A. African-American.

13 Q. Okay. And did you talk with her
14 often?

15 A. No, I did not.

16 Q. Did she express to you that she had
17 been feeling discriminated against?

18 A. I can say that -- that those words
19 were not -- were not used.

20 Q. And you said that you're aware of
21 further employees -- or I'm sorry.

22 You were aware of other employees at
23 other DOC sites who have suffered racial injustice,
24 and I then -- and then I think maybe there was a
25 break in the sentence there, but could you elaborate

1 on that a little more?

2 A. Those were situations that I had read
3 about or had been told about on others -- at other
4 facilities that were related to the Missouri
5 Department of Corrections. Which just sort of
6 bolstered or reaffirmed that there is a culture in
7 the Missouri Department of Corrections that is
8 consistent with systemic racism and discrimination.

9 Q. Okay. And -- but did you know any of
10 these individuals personally?

11 A. Personally, no.

12 Q. Did they ever work with you at any
13 point at the Chillicothe Correctional Center?

14 A. No.

15 Q. And do you remember roughly a timeline
16 of when you saw that these events occurred?

17 A. You know, it was -- I'm not a hundred
18 percent sure of that timeline, I would have to go
19 back and find that information for you.

20 Q. And you said you believed you saw it
21 from the news; is that right?

22 A. That I -- yeah. Yeah.

23 Q. And I'm going to be wrapping up here
24 shortly. I just have a couple quick follow-up
25 questions.

1 When you mentioned earlier that you
2 resigned, who did you turn your resignation in to?

3 A. I turned it in to Sterling Ream.

4 Q. Did you ever have to give a copy of
5 that resignation letter to anyone at DOC?

6 A. No, I did not. I don't believe I did.

7 Q. And you reviewed and signed off on
8 your responses to our interrogatories; is that right?

9 A. Yes.

10 Q. And is there anything that you would
11 like to clarify that I have previously already asked
12 about at this point in time?

13 A. Not at this point in time.

14 MS. JAG: Then I think I don't have
15 any further questions for now. Ivan -- or if we
16 could discuss possibly at a later date, if needed
17 after other witnesses, if we could follow-up with
18 additional time I would appreciate it if we could
19 discuss that.

20 But other than that, I will pass along
21 the opportunity to Ivan.

22 MR. NUGENT: Great. If it's okay with
23 everybody I'd like to take just 30 seconds to make
24 sure I've got all of my questions in -- in order.

25 THE VIDEOGRAPHER: We'll go off the

1 record at 5:44 p.m.

2 (Brief recess taken.)

3 THE VIDEOGRAPHER: Stand by.

4 We are back on the record at a 5:53
5 p.m.

6 EXAMINATION

7 BY MR. NUGENT:

8 Q. Ms. LaBlance, it's now my opportunity
9 to ask you some follow-up questions based on
10 questions of Mr. Matula, who represents Corizon
11 Health, and also Ms. Jag who represents the DOC.

12 Are you understanding what's now
13 happening in terms of your deposition?

14 A. Yes.

15 Q. Okay. Great. Well, I'm going to work
16 backwards. I'm going to start with some follow-up
17 questions about what Ms. Jag asked you about, and
18 then trans- -- transfer into, if you will, questions
19 related to Mr. Matula's examination. All right?

20 I need for you to pull Exhibits 7 and
21 8 for me. And so that Ms. Jag understands where we
22 are, and the record's clear, Exhibit 7 is a packet of
23 documents consisting of acknowledgements by you of
24 various policies of Corizon, and then in the middle
25 of it, specifically, Corizon 242 and Corizon 243, are

1 documents referring to policies and acknowledgments
2 related to the Department of Corrections.

3 Do you see that?

4 A. Yes, I do.

5 Q. All right. Specifically, Corizon 242,
6 whose letterhead is that at the top?

7 A. That's the State of Missouri,
8 Department of Corrections.

9 Q. And what is the title of this
10 document?

11 A. Discrimination, Harassment,
12 Retaliation and Unprofessional Conduct Information
13 Pack -- or Acknowledgment.

14 Q. Were you required to sign this
15 document?

16 A. Yes, I was.

17 Q. And then the substance of it says,
18 "I acknowledge on this date, I have received a copy
19 of the 'D2-11.4 Discrimination Harassment,
20 Retaliation and Unprofessional Conduct Information.'"
21 Whose policy is D2-11.4?

22 A. That's the Missouri -- the State of
23 Missouri, Department of Corrections' policy.

24 Q. And so conversely, that is not
25 Corizon's policy, is it?

1 A. No.

2 Q. This is not Corizon's document, is it?

3 A. No, it is not.

4 Q. Okay. That's your signature at the
5 bottom?

6 A. Yes, it is.

7 Q. Who is Linda Smith, do you know?

8 A. I -- I do not know.

9 Q. Fair enough. And I think this was
10 established, but I want to confirm, June 13th was the
11 beginning of your employment; is that correct?

12 A. That is correct.

13 Q. Let's turn to Corizon 243. This is
14 Discrimination, Harassment, Retaliation and
15 Unprofessional Conduct Information. And I believe
16 this was also established earlier that this is likely
17 referring to the D2-11.4 referenced on Corizon 242.

18 Do you see that?

19 A. Yes, I do.

20 Q. And if you look at the first paragraph
21 under Notification there, would you read that
22 sentence for me? And I'm going to ask you to read it
23 at a pace that will allow the court reporter to -- to
24 keep up with you.

25 All right?

1 A. Okay. "Notification. This is to
2 notify you that you are covered by the Department of
3 Corrections Procedure D2-11.4, Discrimination,
4 Harassment, Retaliation and Unprofessional Conduct
5 and are expected to be familiar with and adhere to
6 the contents of that procedure. Violation of this
7 procedure will lead to disciplinary action."

8 Q. Disciplinary action of you?

9 A. Correct.

10 Q. This document goes on to list specific
11 prohibited behaviors.

12 Do you see that?

13 A. Yes, I do.

14 Q. It has various responsibilities that
15 you are to follow; right?

16 A. Yes, it does.

17 Q. To who you should report those to;
18 correct?

19 A. Yes, it does.

20 Q. Was there a chief administrative
21 officer present at the Chillicothe facility that was
22 a Department of Corrections employee that you're
23 aware -- if you know?

24 A. I am not aware of who that would be.

25 Q. Okay. Turn with me to Exhibit 8. And

1 Exhibit 8 is Bates Number Corizon 478 through 480.

2 Do you see that?

3 A. Yes, I do.

4 Q. And this is a memorandum from who?

5 A. The State of Missouri, Department of
6 Corrections.

7 Q. Okay. And then do you see who from at
8 the top, or --

9 A. Darin Morgan, the acting warden at
10 Chillicothe Correctional Center.

11 Q. Okay. And I believe this is related
12 to you disclosing to the Department of Corrections
13 that you knew of an inmate; correct?

14 A. That is correct.

15 Q. All right. The subsequent pages,
16 let's start with the last page and this is your
17 handwriting; is that correct?

18 A. Yes, it is.

19 Q. And whose letterhead is that?

20 A. This is the State of Missouri,
21 Department of Corrections Interoffice Communication
22 Form.

23 Q. Was it your understanding that this
24 was something that you needed to fill out on their
25 letterhead?

1 A. Yes.

2 Q. And how did you come to know that?

3 A. I was instructed to do so by the
4 administrator, the clinical administrator, Teresa
5 McWhorter.

6 Q. Okay. Great. And we see that you
7 then turn it in to her; is that right?

8 A. That is correct.

9 Q. Okay. And if we look at the next
10 page, which is Corizon 479.

11 Do you see that there?

12 A. Yes, I do.

13 Q. What is stamped in the middle of that
14 document?

15 A. It says "Received," and then there's a
16 date that is hard to read, and then it says, "Office
17 of the warden, Chillicothe Correctional Center."

18 Q. All right. And then the first page,
19 which we've already identified as Corizon 478 is in
20 fact the memorandum from the acting warden at the
21 time; correct?

22 A. That is correct.

23 Q. And if you look in the second
24 paragraph of his memo, it says, "I am acknowledging
25 that you have acted in accordance with Departmental

1 Policy D2-11.10 Staff Member Conduct by reporting
2 this issue."

3 And is that policy there, a policy
4 that you were bound to abide by?

5 A. Yes, it is.

6 Q. And you were the staff member who
7 reported it; correct?

8 A. That is correct.

9 Q. All right. And he is thanking you for
10 keeping you -- for keeping him informed; is that
11 right?

12 A. That is correct.

13 Q. Let's look at the bottom of it, it
14 says "cc" and then read those names for us.

15 A. "Teresa McWhorter, has; Central Office
16 Personnel/Official File; Personnel/Institutional
17 Working File; File."

18 Q. Great. And continuing with this
19 conversation about onboarding, if you will, do you
20 recall Mr. Matula asking you about the -- the warden
21 having concerns about you working at the correctional
22 facility?

23 A. Yes.

24 Q. Okay. And if I recall, to put some
25 context behind it, Mr. -- or the warden at that time

1 contacted Dr. Lovelace and wanted to know essentially
2 how you were authorized to work there; is that a fair
3 assumption?

4 A. That's correct. That's my
5 understanding.

6 Q. Okay. Dr. Lovelace followed up with
7 you; is that right?

8 A. Yes, he did.

9 Q. What did you tell Dr. Lovelace?

10 A. I sent him a more detailed explanation
11 of the findings of the background report.

12 Q. Okay. After you provided those
13 details to Dr. Lovelace, was there any additional
14 questioning of your ability to work at the facility?

15 A. No.

16 Q. Okay. Do you know what Dr. Lovelace
17 did with that information?

18 A. No, I do not.

19 Q. Okay. Is it your understanding that
20 your ability to work in the facility had to be signed
21 off on by the warden?

22 A. Yes.

23 Q. All right. There's been discussion
24 about whether you put certain complaints in writing,
25 whether you talked to somebody orally, and I want to

1 confirm who at Corizon knew that you were having
2 concerns about your employment?

3 A. The administrator, the clinical
4 administrator, the regional clinical director, so
5 that would be Sterling Ream and Meehan, and then
6 Dr. Lovelace as well.

7 Q. Okay. I want to make sure we put a
8 cleaner answer out there.

9 A. Okay.

10 Q. The -- let's do it this way:

11 What was Jenny Meehan's title?

12 A. She was -- she was the regional
13 clinical manager -- or director.

14 Q. Okay. And it's your understanding
15 that she knew of your concerns about your employment?

16 A. Regarding this first issue, is that
17 what you're asking?

18 Q. I'm not asking you about any
19 particular issue. I am asking you in general, is it
20 -- is it your understanding that Jenny Meehan knew of
21 your employment concerns?

22 A. Yes.

23 MR. MATULA: The question's out there,
24 but I'm going to just try get out in front of other
25 questions like this.

1 Given all the different concerns and
2 incidents that have been testified to, I think it's
3 vague to say that whether someone was aware of
4 employment concerns as to -- to which ones -- I've
5 created a list of specific incidents. Anyway, just
6 preempting I'm probably going to have a concern with
7 the vagueness of that, if you want to tighten it up
8 or not.

9 BY MR. NUGENT:

10 Q. And -- and I'll tell you without
11 having to regurgitate everything that Mr. Matula went
12 through, I just want to know -- let's ask it this
13 way:

14 Who did you tell? I want to get a
15 list of people that you talked to and that you have
16 knowledge of that know that you said, hey, you know,
17 whether it's the scalpel incident or whether it's the
18 -- any of the incidents that you've listed with
19 Mr. Matula, I'm just trying to get an understanding
20 of who knew of any of those. All right? And I want
21 you to put their titles behind it.

22 MR. MATULA: So your question is who
23 knew of any, maybe meaning just one, of anything
24 we've talked about?

25 MR. NUGENT: Yep.

1 MR. MATULA: Okay.

2 A. McWhorter.

3 BY MR. NUGENT:

4 Q. What's her -- what's her full name?

5 A. Oh. Teresa McWhorter.

6 Q. And what's her title?

7 A. She was the former has.

8 Q. Anyone else?

9 A. Sterling Ream, the has; Jenny Meehan,
10 the regional clinical director; of course, Dr. Jerry
11 Lovelace, the regional medical director; Karen
12 Epperson, the onsite medical director. Gosh, I can't
13 think of her name. There was -- I'm bad with
14 names -- then, of course, family, friends,
15 physicians. Yeah.

16 MR. NUGENT: Nothing further.

17 FURTHER EXAMINATION

18 BY MR. MATULA:

19 Q. I have a couple punch list items.
20 This is Mike Matula again.

21 You were just asked questions about
22 people who knew about concerns regarding your
23 employment, and gave a list of several people. You
24 -- is it your testimony that you expressed to each of
25 the people on that list all of your concerns that you

1 ever had?

2 A. Not all of my concerns that I ever
3 had.

4 Q. Okay. And I'm talking about concerns
5 about your employment. And we've been here all day,
6 and we've got a record of who -- I tried to get a
7 record of who you told about what specific incidences
8 and what things were told to certain people.

9 I just wanted to clarify, you weren't
10 suggesting you told every single person on the list
11 every single thing we've talked about today?

12 A. No.

13 Q. Do you -- do you still have a copy of
14 your resignation letter? Electronically on a
15 computer somewhere?

16 MR. NUGENT: I'm going to object to
17 form.

18 A. Yes.

19 BY MR. MATULA:

20 Q. In terms of the -- one of the
21 employment concerns that you had, was how various
22 people acted towards you which you -- you now believe
23 were because information concerning your -- your
24 criminal history got out and then people started
25 looking at you and acting differently towards you.

1 Is that -- is that one of the concerns you have --
2 had?

3 A. The biggest concern in that was that
4 someone deliberately took the time to try and find
5 information or dug up dirt, shall we say, for lack of
6 a better term, on me specifically. It was an
7 intentional act against me.

8 They didn't ask me about it.

9 Q. And I guess, you don't know exactly
10 how the genesis of what happened to -- that led up to
11 whoever accessing those records or how that word got
12 out; right?

13 MR. NUGENT: Object to form.

14 A. I -- I am not a hundred percent sure,
15 but it has been told to me that one of the custody
16 officers is married to a nurse, gave this information
17 to the nurse whenever that occurred, and things went
18 from there.

19 BY MR. MATULA:

20 Q. And which custody officer was that?

21 A. That was Stuever. I don't know his
22 first name.

23 Q. And would you have any idea about how
24 Officer Stuever would have known about anything about
25 your criminal past?

1 A. I don't know how he knew.

2 Q. Who told you that?

3 A. Who shared that information with me, I
4 believe, was Shannon Burris.

5 Q. I think earlier today, and then also
6 in Ms. Jag's testimony, at -- at some point, you used
7 the term "systemic racism." And I just want to make
8 sure we're on the same page, what is your definition
9 of systemic racism? When you use that term what do
10 you mean to convey?

11 MR. NUGENT: Object to the form.

12 You can answer.

13 A. When I use that term, what I mean, I'm
14 referring to the -- the embedded or innate policies,
15 procedures, beliefs and actions of those who would
16 make things difficult for people of color in areas of
17 employment, education, you know, it creates
18 disparities in healthcare, and it's just a system
19 that is not pro diversity.

20 And it seems to -- no, it's not that
21 it seems to be. It is a -- an American cultural
22 travesty that we as African-Americans have had to
23 deal with. It's there.

24 What it does in addition to creating
25 more disparities --

1 MR. MATULA: I -- I don't want to cut
2 you off.

3 MR. NUGENT: You asked, Mike.

4 MR. MATULA: I didn't ask what it
5 does. She can go on and on. I'm just asking for her
6 definition. If she wants to tell me what it is, I
7 guess we can take up more of the record, but it's
8 beyond my question. But if you want to --

9 A. Well, I think that -- I think that,
10 just that in there, that particular reaction is part
11 of the reason why it -- it continues to exist today.
12 Is because people don't want to understand what it
13 does, how it manifests and how it affects those that
14 it's targeted -- that it's directed towards. It's --
15 it's -- it's bad. It's really, really bad. I said
16 that to be -- but it is -- it can be devastating. It
17 can be devastating.

18 BY MR. MATULA:

19 Q. You referred in your answer a moment
20 ago, "that particular reaction," what are you -- when
21 you said "that particular reaction," what are you
22 referring to?

23 A. Well, you put your hand up like this,
24 as if I don't want to hear what you have to say; that
25 was my perception of what you just did.

1 Q. Do you think when I did that that I
2 was acting in a racist manner towards you, Ma'am?

3 MR. NUGENT: Objection to the form.

4 A. I think it was dis- --

5 MR. NUGENT: We've gotten -- we've
6 gotten out of bounds now.

7 MR. MATULA: No. No. No. She just
8 accused me of my mannerism, Ivan. She just said that
9 particular reaction was part of the problem, so I
10 think I'm entitled to explore what she meant by that,
11 and it might also play into how she perceived actions
12 at work, frankly.

13 MR. NUGENT: I'll object to form.

14 BY MR. MATULA:

15 Q. Ma'am, I'm going to ask -- I'm going
16 to ask you this:

17 Whether -- well, let's start with
18 that.

19 Do you believe that me trying to stop
20 your answer that was beyond the scope of my question
21 at 6:15 tonight, by doing that, that I was acting in
22 some sort of racially inappropriate manner towards
23 you?

24 A. I did not say that.

25 MR. NUGENT: Object to form.

1 Continuing objection.

2 MR. MATULA: That's fine.

3 A. I didn't say that.

4 BY MR. MATULA:

5 Q. So what did you mean by "that
6 reaction"? You're talking about the gesture that I
7 did.

8 A. Yeah, that you did not want to hear
9 what I had to say.

10 Q. Right.

11 A. Yes.

12 Q. So was that some -- how did that tie
13 into systemic racism?

14 A. Because -- because oftentimes what I
15 have encountered is people don't want to hear what
16 you have to say, that's how I was tying that in. It
17 wasn't a personal attack on you. It was a statement
18 of my experience that I've had. It wasn't a personal
19 attack on you.

20 Q. Okay. Because I have -- I know it's
21 been a long day, but --

22 A. Yeah.

23 Q. -- I hope I --

24 A. It was not a personal attack.

25 Q. -- I have not done anything through my

1 questions or anything else that you have taken as
2 some sort of attack on you. That's not my intent.

3 A. And I can assure you that I have not
4 felt your questions were an attack on me or racist.

5 Q. Fair enough.

6 A. Yes.

7 MR. MATULA: I don't have any further
8 questions at this time.

9 MR. NUGENT: Ms. Jag?

10 MS. JAG: Yes. Mike, are you
11 finished?

12 MR. MATULA: I am.

13 MS. JAG: Okay.

14 FURTHER EXAMINATION

15 BY MS. JAG:

16 Q. I only have just a couple questions.

17 You agreed earlier, Ms. LaBlance, that
18 your profession allows you to work in a variety of
19 settings; is that right?

20 A. That is correct.

21 Q. And by working at a prison, your --
22 would you agree that you're in a position of
23 authority over some inmates in what you're doing?
24 Let me rephrase.

25 Would you -- would you say that you

1 are in a special position as a nurse practitioner in
2 your day-to-day duties when you are doing your work
3 with the inmates?

4 A. I don't know what you quite mean by "a
5 special position."

6 Q. Meaning it's not like you're in a
7 normal hospital environment, would you agree?

8 A. My interact- --

9 Q. The patients -- I'm sorry. Go ahead.

10 A. My interaction with my patients -- my
11 goal -- my goal there, my job there, was to address
12 their health issues as that would be my goal and my
13 job in any setting that I'm -- that I'm in. And I --
14 that was what I did, and that did not change for me
15 whether I'm in that setting or another setting. My
16 purpose is to provide quality care to those who need
17 it.

18 Q. Okay. And would you say that any
19 Department of Corrections' custody officers, did they
20 do the same duties that you did in taking care of
21 these inmates?

22 A. No. It was not the same job.

23 Q. And you said that when you were hired
24 you were hired through Corizon; is that correct?

25 A. I was recruited through Corizon,

1 offered the job and cleared through the State and the
2 Department of Corrections.

3 Q. Okay. And you mentioned before, I
4 believe, it was in Exhibit 7, that there were some
5 policy acknowledgments that the Department of
6 Corrections asked you to sign off on; is that right?

7 A. Yes.

8 Q. Other than that, during your tenure at
9 Chillicothe Correctional Center, were you issued
10 anything else by the Department of Corrections that
11 controlled your daily actions as a nurse
12 practitioner?

13 A. Yes.

14 Q. Would you elaborate on that?

15 A. Yeah. I was issued my badge, my I'd
16 badge, that allowed me entrance into the facility, I
17 was assigned an employee number, which allowed me
18 entrance into the lockbox where the keys to my office
19 doors and the medical department overall, those were
20 issued to me on a daily basis, with that I'd number
21 that I was given from the Department of Corrections.
22 My employee I'd number.

23 Q. I'm -- I'm sorry. What did you say?
24 You cut out there.

25 A. I said my employee I'd number issued

1 by the Department of Corrections.

2 Q. Okay. And you also discussed that
3 there was a memo sent to you from the acting warden,
4 Darin Morgan, regarding an inmate named Teresa
5 McWhorter; is that right?

6 A. No, that is not correct.

7 Q. Not Teresa McWhorter. There was
8 another inmate. I'm looking at the name. I'm sorry.
9 Could you -- could you refresh my memory on the name?

10 A. The name here, Annette Davis. I
11 believe is who you're referring to.

12 Q. Yes.

13 A. Okay.

14 Q. And what is your understanding of the
15 reason why you were issued this memo?

16 A. I was issued this memo as receipt of
17 the correspondence that I sent in compliance with the
18 policy that states if any inmate is known to you, you
19 must make them aware of this -- this -- who this
20 person is.

21 Q. Okay. And would you agree that
22 following that policy is likely out of concern for
23 public safety?

24 MR. NUGENT: Objection to the form.

25 You can answer if you know.

1 A. I -- I don't know. How would -- ask
2 that question again, or no?

3 BY MS. JAG:

4 Q. Would you agree that having to follow
5 such policy is based out of concern for public
6 safety?

7 MR. NUGENT: Same objection.

8 A. Concern for public safety? I don't
9 know if that is -- I don't know if that is the
10 reason.

11 BY MS. JAG:

12 Q. Okay. Well, we can just move on from
13 that, then. And then lastly you said it was your
14 understanding that the warden had to sign off on you
15 working at that facility; right?

16 A. That is correct.

17 Q. And you said it wasn't brought up
18 again after that?

19 A. Not directly to -- no, not to my
20 knowledge.

21 Q. And what was the reason that you
22 believe this was brought up to the warden?

23 MR. NUGENT: Object to form. Calls
24 for speculation.

25 BY MS. JAG:

1 Q. Your understanding that the warden had
2 to sign off on you working there, why did you think
3 someone had to ask the warden for permission to have
4 you work at that site?

5 A. Because he's the warden.

6 Q. Did they have to do that all with
7 other employees?

8 A. I do not have -- I -- I don't know. I
9 would assume so.

10 Q. You stated -- you stated earlier that
11 you have a criminal record; is that right?

12 A. That is correct.

13 Q. Would you agree that there is a
14 possibility the warden needed to sign off on you
15 working at the Chillicothe Correctional Center due to
16 that record?

17 MR. NUGENT: Object to form. Calls
18 for speculation.

19 THE WITNESS: Do you want me to answer
20 that?

21 MR. NUGENT: If you know.

22 A. I -- I don't agree with that. I would
23 think that he would need to sign off on everyone that
24 came in to work there. I would think.

25 BY MS. JAG:

1 Q. But you don't know the process of
2 which --

3 A. No, I do not.

4 Q. -- that anyone in -- okay.

5 Do you know the process of -- I'm
6 sorry. Let me scratch that. I'll rephrase.

7 Do you know the hiring processes of
8 the warden to allow any of the medical practitioners
9 to work at Chillicothe Correctional Center?

10 A. No, that wasn't part of my job
11 description.

12 Q. Okay.

13 MS. JAG: And I believe I have no
14 further questions at this time.

15 MR. MATULA: I don't have any more
16 questions for the witness.

17 MR. NUGENT: Neither do I.

18 THE VIDEOGRAPHER: That will conclude
19 this deposition at 6:26 p.m.

20 (Off video record.)

21 MR. MATULA: I had previously marked
22 Exhibits 3, 16, and 23, I did not have any questions
23 for the witness about them, but rather than retaining
24 them, or withdrawing them, Mr. Nugent and I have
25 discussed just including them in the deposition

1 record, so that we can keep the record without holes
2 in the numbering, and they can be identified or used
3 by other later witnesses if need be.

4 And Rachel, for your record, Exhibit 3
5 is Bates Numbered Plaintiff LaBlance 50.

6 Exhibit 16 is Corizon 989.

7 And Exhibit 23 is a conglomeration of
8 Ms. LaBlance's W-2 statements, and I can't even read
9 all the Bates Numbers, you'll just have to see it on
10 the exhibit.

11 THE REPORTER: Do you want her to read
12 and sign?

13 MR. NUGENT: Yes, please. Read and
14 sign. Thank you.

15 (Deposition concluded at 6:28 p.m.)

16

17 S T I P U L A T I O N

18

19 It is hereby stipulated and agreed by
20 the parties hereto through their respective counsel,
21 that the presentment of this deposition to the
22 witness for examination and reading, as provided in
23 Rule 57.03, Missouri Rules of Civil Procedure, is
24 hereby expressly waived.

25

Video Deposition

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TERRI YOLANDA LaBLANCE

Subscribed and Sworn to
before me this _____ day of _____, 2020.

Notary Public

County of _____

State of _____

TERRI YOLANDA LABLANCE vs. CORIZON HEALTH, INC. AND
MISSOURI DEPARTMENT OF CORRECTIONS

Video Deposition

296

ERRATA SHEET

RE: TERRI YOLANDA LABLANCE vs. CORIZON HEALTH, INC.
AND MISSOURI DEPARTMENT OF CORRECTIONS

DEPOSITION OF: TERRI YOLANDA LABLANCE

PG/LN NO.	CORRECTION	REASON FOR CHANGE
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_____ I certify that I have read my deposition in
the above case and I request that no changes be made.

_____ I certify that I have read my deposition in
the above case and I request that the above changes
be made.

SIGNATURE OF DEPONENT:

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C E R T I F I C A T E

I, Laurel A. Woodbridge, a Certified Court Reporter, do hereby certify:

That prior to being examined the witness was by me duly sworn;

That said deposition was taken down by me in shorthand at the time and place hereinbefore stated and was thereafter reduced to writing under my direction;

That I am not a relative or employee or attorney or counsel of any of the parties, or a relative or employee of such attorney or counsel, or financially interested in the action.

WITNESS my hand and seal this 9th day of August 2020.

Laurel A. Woodbridge RPR-CRR-CSR
CCR No. 898 and CCR No. 1327

1 IN THE CIRCUIT COURT OF DEKALB COUNTY, MISSOURI

2 DIVISION I

3
4 TERRI YOLANDA LABLANCE,

5 Plaintiff,

6 vs.

Case No.

7 CORIZON HEALTH, INC. AND

4:19-CV-00693-BP

8 MISSOURI DEPARTMENT OF

9 CORRECTIONS,

10 Defendants.

11
12 CERTIFICATE OF REPORTER AND
13 STATEMENT OF FEES DUE
14 FOR THE VIDEOTAPED DEPOSITION OF
15 TERRI YOLANDA LABLANCE
16 TAKEN ON JULY 8, 2020

17 FEES DUE iREPORT SOLUTIONS LLC:

18 \$_____ ATTORNEY FOR PLAINTIFF

19 \$_____ ATTORNEY FOR DEFENDANT CORIZON

20 \$_____ ATTORNEY FOR DEFENDANT DOC

21 Upon delivery of transcripts, the above
22 charges had not yet been paid. It is anticipated
23 that all charges will be paid in the normal course
24 of business.

25 Laurel A. Woodbridge RPR-CRR-CSR
CCR No. 898 and CCR No. 1327

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